

**Agenda**  
**Municipal District of Pincher Creek No. 9**  
**Subdivision Authority Meeting**  
**September 1, 2020**  
**6:00 pm**

**1. Adoption of Agenda**

**2. Adoption of Minutes**

- a. Minutes of July 7, 2020

**3. Closed Meeting Session**

**4. Unfinished Business**

**5. Subdivision Application**

- a. Subdivision Application No. 2020-0-089  
Lorna Maureen McRae  
SW1/4 10-6-2-W5M
- b. Subdivision Application No. 2020-0-090  
Lorna Maureen McRae  
Lot 1, Block 20, Plan 201\_\_\_\_\_ within SW1/4 10-6-2-W5M
- c. Subdivision Application No. 2020-0-093  
Douglas McClelland and Leona McClelland  
SE1/4 11-6-2-W5M
- d. Subdivision Application No. 2020-0-096  
Earl Higginbotham  
SW1/4 10-7-29-W4M
- e. Subdivision Application No. 2020-0-099  
Antelope Butte Ranch Ltd.  
S1/2 29-9-2-W5M
- f. Subdivision Application No. 2020-0-101  
Brent McRae and Patricia McRae  
NW1/4 36-5-30-W4M

**6. New Business**

**7. Next Regular Meeting** October 6, 2020; 6:00 pm

**8. Adjournment**

**Meeting Minutes of the Subdivision Authority  
Tuesday, July 7, 2020; 6:00 pm  
MD of Pincher Creek No. 9 Administration Building**

**IN ATTENDANCE**

Members: Reeve Brian Hammond, Councillors' Quentin Stevick, Rick Lemire, Bev Everts and Terry Yagos

Staff: Director of Development and Community Services Roland Milligan,  
CAO Troy MacCulloch and Financial Services and Planning Clerk  
Joyce Mackenzie-Grieve

Planning  
Advisors: ORRSC, Senior Planner Gavin Scott

**COMMENCEMENT**

Reeve Brian Hammond called the meeting to order, the time being 6:00 pm.

**1. ADOPTION OF AGENDA**

Councillor Quentin Stevick 20/018

Moved that the Subdivision Authority Agenda for July 7, 2020, be approved as presented.

Carried

**2. ADOPTION OF MINUTES**

Councillor Terry Yagos 20/019

Moved that the June 2, 2020 Subdivision Authority Minutes, be approved as presented.

Carried

**3. CLOSED MEETING SESSION**

Councillor Rick Lemire 20/020

Moved that the Subdivision Authority close the meeting to the public, under the authority of the *Municipal Government Act* Section 197(2.1), the time being 6:01 pm.

Carried

**MINUTES**  
**SUBDIVISION AUTHORITY**  
**Municipal District of Pincher Creek No. 9**  
**July 7, 2020**

Councillor Terry Yagos

20/021

Moved that the Subdivision Authority open the meeting to the public, the time being 6:07 pm.

Carried

**4. UNFINISHED BUSINESS**

None

**5. SUBDIVISION APPLICATIONS**

**a. Subdivision Application No. 2020-0-074**

Warren Percy Burles  
SW1/4 34-8-1 W5M

Councillor Terry Yagos

20/022

Moved that the Agricultural subdivision of SW1/4 34-8-1-W5M (Certificate of Title No. 031 083 717 +2), to create a 77.49 acre (31.36 ha) lot and a 76.27 acre (30.86 ha) lot from a previously un-subdivided quarter section of 153.76 acres (62.23 ha) for agricultural use; be approved subject to the following conditions.

**CONDITIONS:**

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

Carried

**b. Subdivision Application No. 2020-0-075**

Warren Percy Burles  
NW1/4 34-8-1 W5M

Councillor Bev Everts

20-023

Moved that the Agricultural subdivision of NW1/4 34-8-1-W5M (Certificate of Title No. 031 083 717 +1), to create a 69.22 acre (28.01 ha) lot and an 82.84 acre (33.52 ha) lot in two parts from a previously unsubdivided quarter section of 152.06 acres (61.54 ha) for agricultural use; be approved subject to the following conditions.

**MINUTES**  
**SUBDIVISION AUTHORITY**  
**Municipal District of Pincher Creek No. 9**  
**July 7, 2020**

**CONDITIONS:**

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

Carried

**6. NEW BUSINESS**

Nil

- 7. NEXT MEETING** – Tuesday, September 2, 2020; 6:00 pm.

**8. ADJOURNMENT**

Councillor Terry Yagos

20/024

Moved that the meeting adjourn, the time being 6:10 pm.

Carried

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Brian Hammond, Chair  
Subdivision Authority

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Roland Milligan, Secretary  
Subdivision Authority



## DRAFT RESOLUTION

Our File: 2020-0-089

August 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,

**RE: SW1/4 10-6-2-W5M / M.D. of Pincher Creek No. 9**

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, AB Environment & Parks - J. Wu, Historical Resources Administrator, AER, Canada Post and Beaver Mines Community Association.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Gavin Scott  
Senior Planner

GS/jm  
Attachment

# RESOLUTION

2020-0-089

**M.D. of Pincher Creek No. 9 Public Utility** subdivision of SW1/4 10-6-2-W5M

THAT the Public Utility subdivision of SW1/4 10-6-2-W5M (Certificate of Title No. 131 154 672), to create a 0.52 acre (0.21 ha) Public Utility Lot (PUL) from a title of 138.74 acres (56.14 ha) for public utility use; BE APPROVED subject to the following:

**RESERVE:** That, the 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 0.52 acres be deferred by caveat for Municipal Reserve purposes.

## CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.
3. That the extension of 5<sup>th</sup> Street as depicted on the Tentative Plan (Halma Thompson file H05020TN) be registered as road with this plan.

## REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. That in accordance with Municipal Development Plan Part III A. a waiver of the agricultural subdivision policies was deemed appropriate and granted.

## INFORMATIVE:

- (a) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (b) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (c) TELUS Communications Inc. has no objections to the above noted circulation.
- (d) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.

- (e) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 771 130 527.

Therefore, ATCO Gas has no objection to the proposed subdivision.

- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

- (g) Alberta Health Services – Wade Goin, Executive Officer/Public Health Inspector:

“In response to the request for comment on the above noted subdivision, we have reviewed the information and wish to provide the following comments:

- Alberta Health Services does not object to this subdivision provided all other pertinent bylaws, regulations and standards are complied with.

If you require any further information, please call me at 403-562-5030.”

- (h) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a public utility lot at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

Alberta Transportation’s primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, currently and as proposed, the lot to be created and the remnant land gain indirect access to Highway 774 solely by way of the hamlet’s internal street system and/or the local road system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the public utility lot as proposed would have any appreciable impact on the provincial highway network.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

The applicant would also be advised that any development within the highway right-of-way or within 300 metres beyond the limit of a controlled highway or within 800 metres from the center point of an intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403/382-4052, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

(i) TC Energy - Kayla McCarthy, Community Planner, B&A Planning Group:

“Thank you for sending B&A Planning Group notice of this project on July 29, 2020. B&A is the land use planning consultant for TC Energy (TC) in Western Canada. On behalf of TC, we work with municipalities and stakeholders regarding land use and development surrounding their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

As per the requirements of the Canada Energy Regulator (CER), additional development in proximity to TC’s pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity to the pipeline that may trigger a pipeline Class upgrade.

**Description of Proposed Development**

We understand that this application is to accommodate the subdivision of public works related infrastructure and the extension of 5th Street for access the parcel. The subdivision is on SW 10-6-2-W5M and is currently Agricultural District proposed to be Public Utility.

Please refer to Attachment 01 Approximate Location of TC Infrastructure for maps that show the proposal in relation to the approximate location of TC’s infrastructure.

**Assessment of Proposed Development**

As demonstrated in Attachment 01 Approximate Location of TC Infrastructure, the application is within 800m of a TC Energy facility, which should have no impact other than potential noise, however as the application is proposing infrastructure and not a residence this shouldn’t have an impact.

Based on a review of the application materials provided the proposed development should not impact or be impacted by TC infrastructure. Therefore, TC Energy has expressed no concerns with this project.

**Recommendations**

TC has expressed no concerns with this project at this time. However, given the proximity to the TC pipeline and facility we have included some recommendations below that should be adhered to for all future development for your reference.

1. In order to identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place. Locate requests can be made online at [www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com) or by calling your local One-Call Centre. Locate requests generally take 72 hours to be completed.
2. No work may take place within TC’s pipeline right-of-way without a TC representative on site.
3. All permanent or temporary crossings of pipelines require written consent from TC Energy. Written consent may be obtained online through TC’s Canadian Third Party Crossing Application Portal at [writtenconsent.tcenergy.com](http://writtenconsent.tcenergy.com) or by calling 1-877-872-5177.
  - If the proponent plans to cross the pipeline in the future and applies through the online application portal noted above, please advise them to send the application # (“D#”) associated with that application to [tcenergy@bapg.ca](mailto:tcenergy@bapg.ca) for our records.
4. Ground disturbance is any work, operation or activity that results in an addition to or reduction of the earth cover on the ground, including but not limited to excavating, digging, ditching, plowing, stripping topsoil etc. Any ground disturbance within 30m of the pipeline, known as the “prescribed area” requires written consent from TC Energy. Written consent may be obtained online at [writtenconsent.tcenergy.com](http://writtenconsent.tcenergy.com) or by calling 1-877-872-5177.

5. Permanent structures shall not be installed anywhere on the ROW. TC Energy's preference is that permanent structures should be placed at least seven (7) metres from the edge of the ROW and twelve (12) metres from the edge of the pipeline.
6. Temporary structures shall not be installed anywhere on the ROW. TC Energy's preference is that temporary structures should be placed at least three (3) metres from the edge of the ROW and eight (8) metres from the edge of the pipeline.
7. As per the requirements of the Canada Energy Regulator (CER), TC Energy is required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed regarding any additional development within the Pipeline Assessment Area indicated in Attachment 01 *Approximate Location of TC Infrastructure*.

Requirements and guidelines for development on or near TC Energy's pipelines and infrastructure are included within Attachment 02 *Work Safely Booklet*, and we recommend that they be reviewed in full.

#### Conclusion

Please continue to keep us informed about this project and any future policy, land use, subdivision, and development activities in proximity to TC's pipelines and facilities. Referrals and any questions regarding land use planning and development around pipelines should be sent to [tcenergy@bapg.ca](mailto:tcenergy@bapg.ca). Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future."

(See Attachments)

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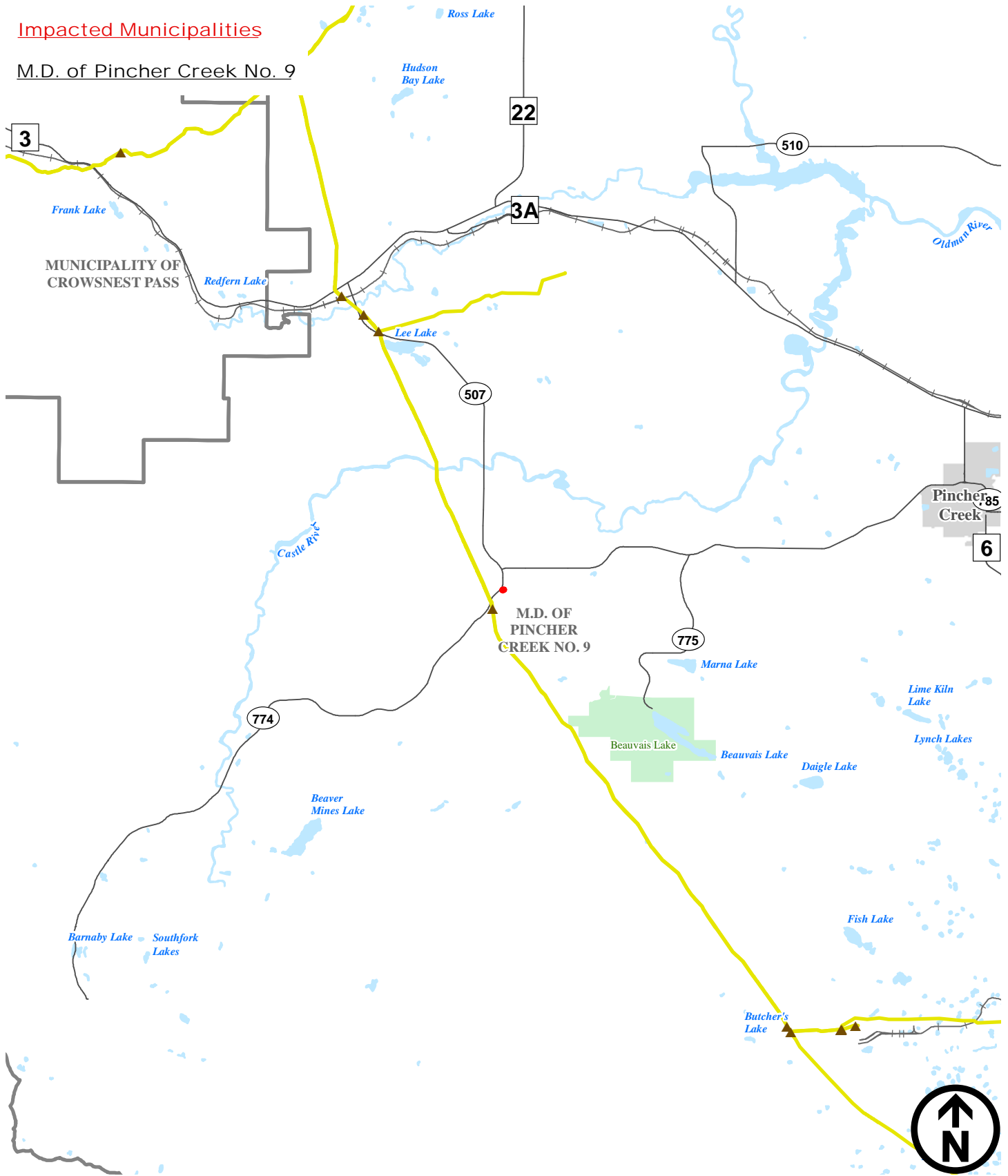
CHAIRMAN

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DATE

## Impacted Municipalities

M.D. of Pincher Creek No. 9



Map File: R01697AB\_Context

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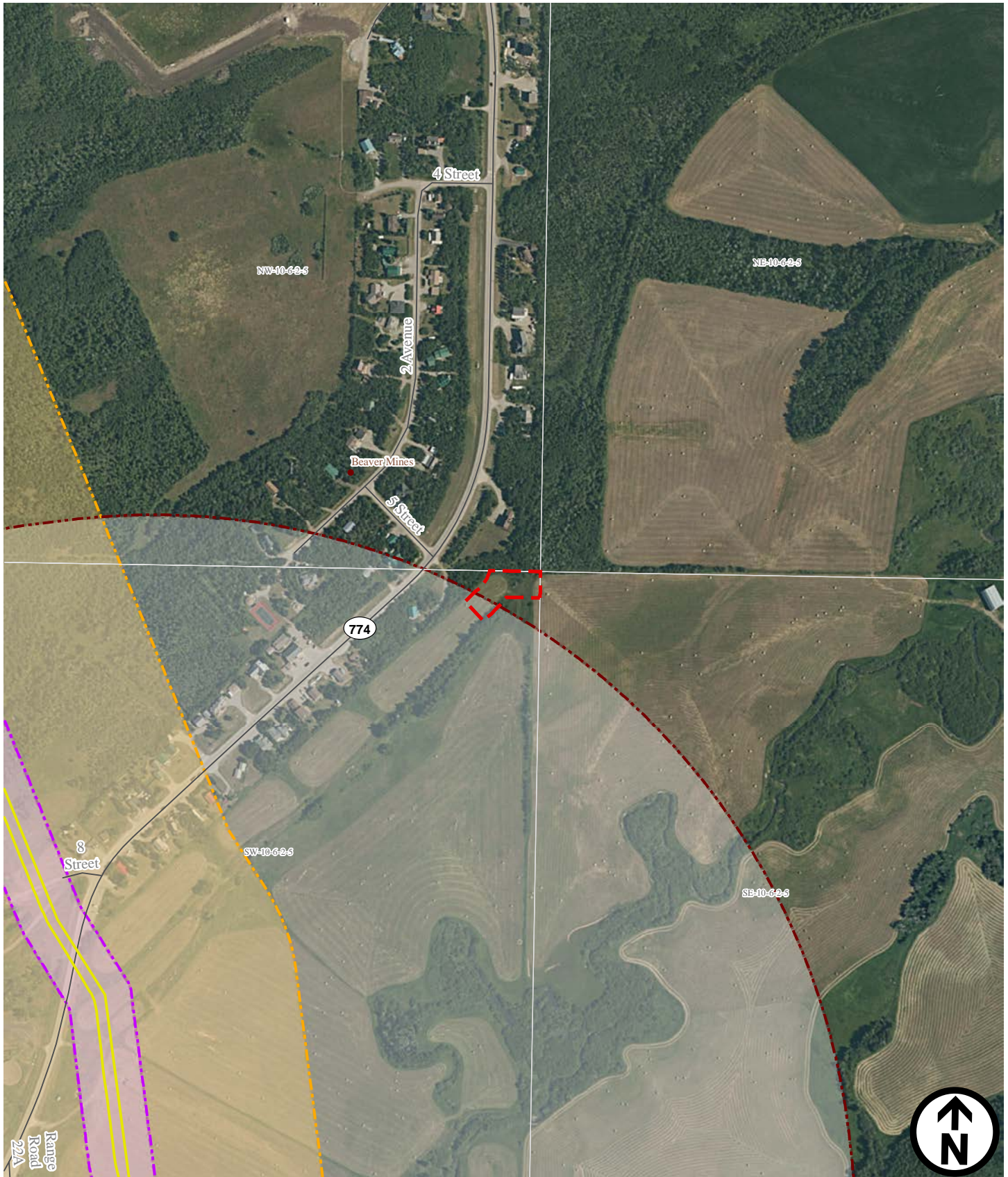
### Legend

- Subject Site
- ▲ TC Energy Facility
- TC Energy Pipeline
- +— Railway
- Major Road
- Park
- Rural Municipality
- Urban Municipality
- Waterbody



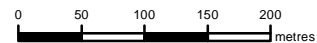
**Context Map**  
 Plan of Subdivision  
 M.D. of Pincher Creek No. 9  
 Referral #: **R01697AB**  
 TC Region: **Rocky Mountain**  
 July 2020





Map File: R01697AB\_Concept

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**Legend**

- Subject Site
- Pipeline Assessment Area (220m)
- Facility Assessment Area (800m)
- Prescribed Area (30m)
- Hamlet
- Road
- Quarter Section

## TC Energy Infrastructure

### Plan of Subdivision

M.D. of Pincher Creek No. 9

Referral #: **R01697AB**

*Map and data for informational and planning purposes only  
Conceptual alignment only. Aerial Source: ESRI*

July 2020



# Work safely.

## Development near our pipelines and facilities

These guidelines are intended to provide useful and timely safety information. TC Energy endeavors to ensure the information is as current and accurate as possible.

[TCEnergy.com](https://www.tchenergy.com)





## About us

For over 65 years, TC Energy has proudly delivered the energy millions of North Americans rely on to power their lives and fuel industry.

Guided by our values of safety, responsibility, collaboration and integrity, our more than 7,000+ employees are deeply rooted in their communities and ensure that we develop and operate our facilities safely, reliably and with minimal impact on the environment. We are committed to listening to our neighbours and working with all our stakeholders to develop better project plans and create long-term opportunities and economic benefits in the communities where we operate across Canada, the U.S. and Mexico.

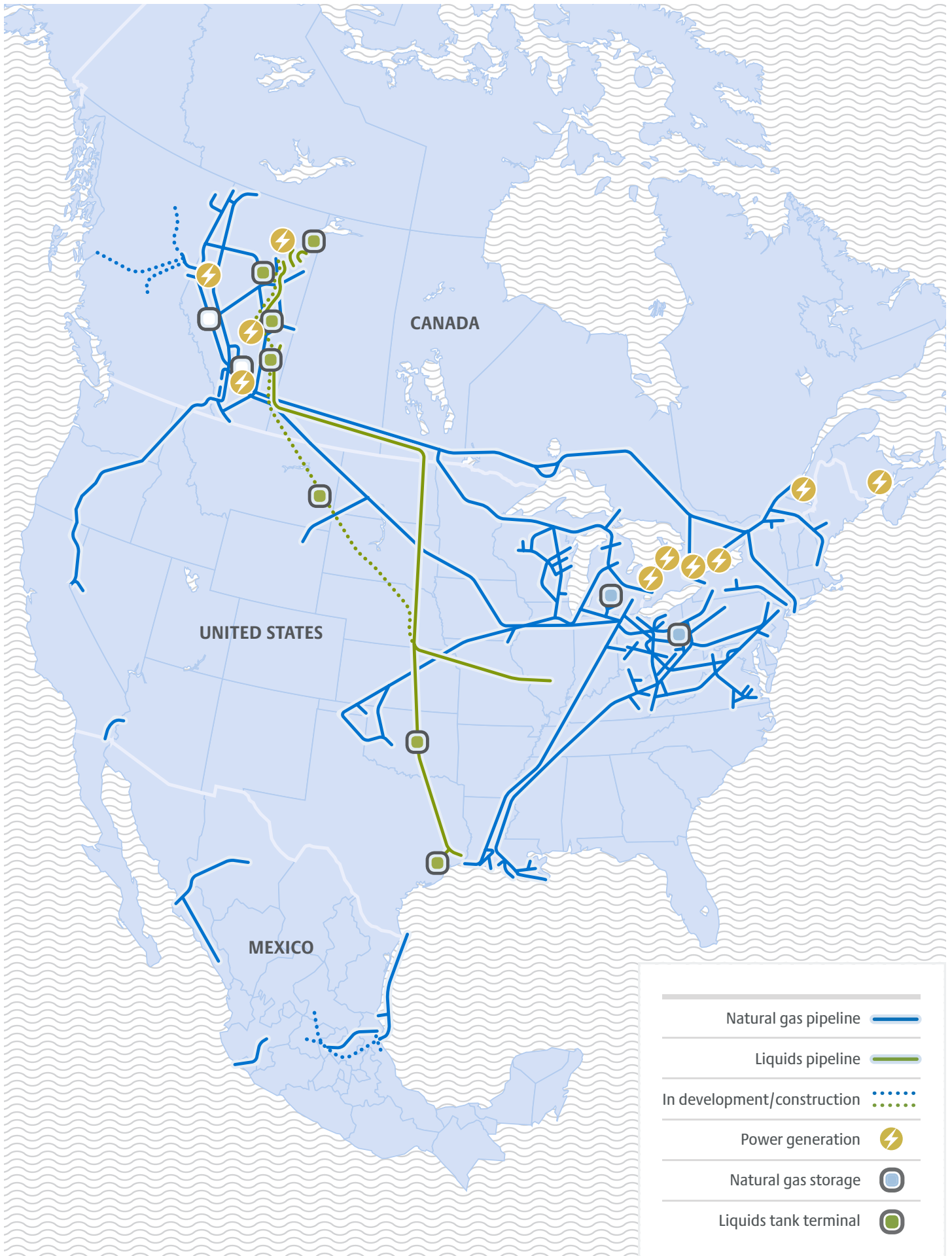
In May 2019, we changed our name from TransCanada to TC Energy to better reflect the scope of our operations and to reinforce our position as a leading North American energy infrastructure company. Whether our stakeholders know us as TC Energy in English, TC Énergie in French, or TC Energía in Spanish, our neighbours, partners and investors can continue to count on us to follow through on our commitments and live up to our values in everything we do.

## Our pipelines

Pipelines are the safest and most efficient method to transport natural gas and oil to market. Natural gas is odourless, colourless and will dissipate quickly when released because it is lighter than air. However, the gas is flammable and can be explosive if ignited. Crude oil is a liquid mixture of naturally occurring petroleum hydrocarbons and can possess a rotten egg, gasoline, tar or “skunk-like” odour. Crude oil vapours are volatile, and can be flammable and explosive.

Typically, TC Energy does not own the land where our pipelines are located, but instead acquires the right prior to construction to install and operate the pipeline and related facilities within a pipeline right-of-way through an easement or right-of-way agreement with the landowner. The terms of the right-of-way agreements vary but generally provide TC Energy with the right to access, construct, operate, maintain and abandon the pipeline within the right-of-way.

The width of the right-of-way is based on the size and type of the pipeline and related facilities. By contrast, TC Energy does typically own the land where both compressor stations, which re-pressurize gas along the pipeline to ensure the gas flows continuously at a desired flow rate, and pump stations, which pump oil through the pipeline from one point to the next, are located. The lands required for meter stations, which measure product volume, are either leased directly from landowners or owned by TC Energy.



## Regulatory requirements

TC Energy's pipeline design, construction and maintenance programs meet or exceed industry and government standards. In Canada, our operations are regulated by provincial and federal authorities including the Canada Energy Regulator (CER). Legislation and regulations set out the requirements governing activities in proximity and on pipeline rights-of-way, including vehicle and equipment crossings, construction of facilities on or near a right-of-way, and other activities that could cause ground disturbances, which might impact the pipeline. Such legislation and regulations aim to ensure the safety and protection of the public, our employees, the environment as well as our pipeline facilities and other property.

## Safety

At TC Energy, we seek to anticipate and minimize hazards of every description. From design and construction to operation and maintenance, safety is an integral part of everything we do. TC Energy regularly communicates pipeline safety information to stakeholders through our public awareness program.

Our safety practices include monitoring changes in land use near our pipeline facilities. This can involve meetings with landowners, municipal decision makers, administrative staff and land use planners.

TC Energy also has an extensive pipeline maintenance program that ensures our pipeline facilities are regularly monitored, inspected and repaired in order to meet or exceed best industry practices and regulatory requirements. Our entire pipeline transmission system is monitored from our control centres 24 hours a day, 7 days a week. In addition, TC Energy carries out the following activities as part of our pipeline maintenance program:

**Aerial patrols** – TC Energy carries out aerial patrols of the pipeline route to identify hazards from outside sources, including unauthorized construction and ground disturbances near the pipeline. Sensitive detection equipment may be used during these patrols to identify gas leaks.

**In-line pipeline inspections** – TC Energy conducts in-line pipeline inspections using tools that travel through the pipeline collecting data and looking for locations where corrosion, metal loss or dents may have occurred.

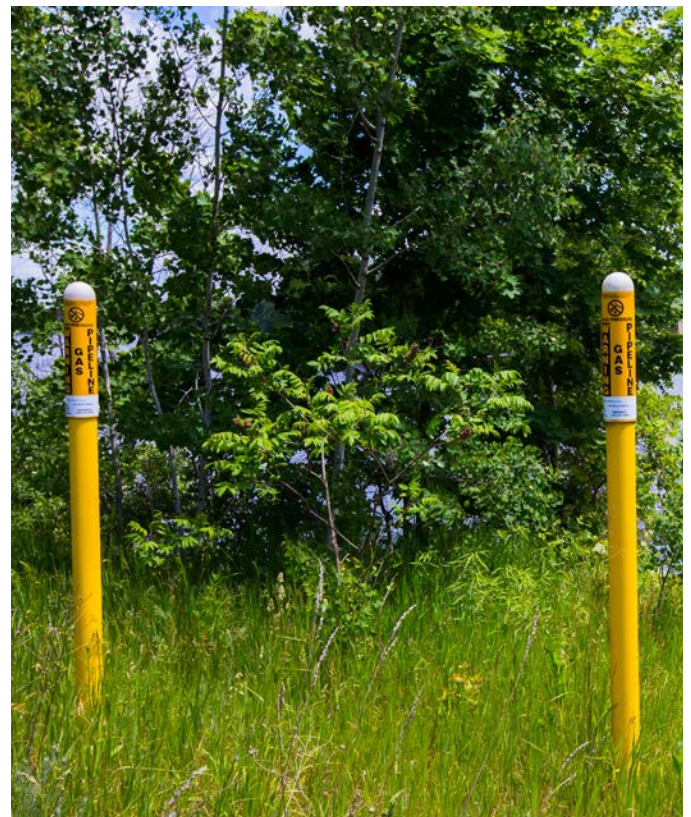
**Hydrostatic testing** – TC Energy uses hydrostatic testing, typically at the completion of pipeline construction, but to verify the safety of existing pipelines. Sections of the pipeline are filled with water and the pressure is increased beyond normal operating pressure to test pipeline strength and identify any pipeline leaks.

**Cathodic protection** – TC Energy uses cathodic protection, which involves applying a low-voltage electrical current to the metal pipe to protect the pipeline against corrosion. The cathodic protection system is monitored regularly to ensure proper protection against pipeline corrosion.

**Pipeline signage** – TC Energy installs pipeline signs at all road, rail, and waterbody crossings and at other strategic points along the pipeline route to identify the approximate location of our pipelines. Pipeline signs contain important information such as:

- The owner of the pipeline
- The product shipped in the pipeline
- Emergency contact numbers

**BE AWARE:** Pipeline signs will not designate the exact location, depth or number of pipelines in the area. Contact your local one-call centre and TC Energy will send a representative to the proposed excavation site to mark the pipeline.



## Approvals for working around

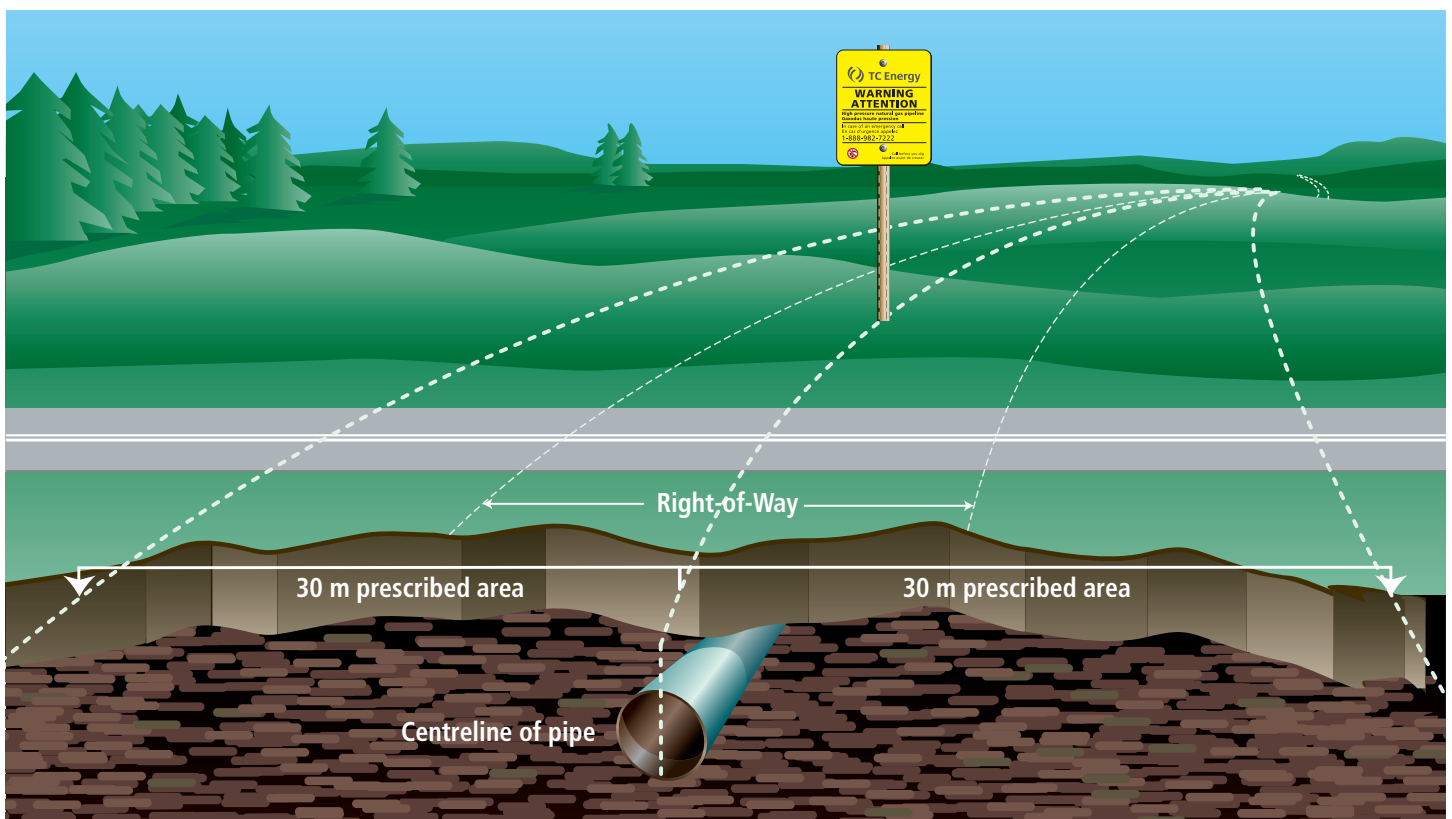
### TC Energy's facilities

To ensure our pipelines and facilities operate safely, written consent from TC Energy must be obtained in Canada before any of the following:

- Constructing or installing a facility across, on, along or under a TC Energy pipeline right-of-way
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres or 100 feet from the centreline of the pipeline)
- Driving a vehicle, mobile equipment or machinery across a TC Energy pipeline right-of-way outside the travelled portion of a highway or public road
- Using any explosives within 300 metres or 1,000 feet of TC Energy's pipeline right-of-way
- Use of the prescribed area for storage purposes

### The following are examples of ground disturbances:

- Digging
- Excavation
- Trenching
- Tunneling
- Boring/drilling/pushing
- Augering
- Topsoil stripping
- Land leveling/grading
- Plowing to install underground infrastructure
- Tree or shrub planting
- Cleaning and stump removal
- Subsoiling
- Blasting/using explosives
- Quarrying
- Grinding and milling of asphalt/concrete
- Seismic exploration
- Driving fence posts, bar, rods, pins, anchors or pilings
- In-ground swimming pools



## Locate request

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must request a locate service.

Locate requests can be made online ([www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com)), via mobile apps (Saskatchewan and Quebec) or via phone (see the back of this booklet for more details). The locate request must be made at least three working days in advance of the ground disturbance, construction activity, or vehicle or mobile equipment crossing.

The One-Call Centre will notify TC Energy to send a representative to mark the facilities with flags, paint or other markings in order to help you avoid damaging them. The TC Energy representative will explain the significance of the markings and provide you with a copy of the locate report. The service is free and could prevent accidents, injuries or deaths.

## Written consent

After you apply for written consent, TC Energy will assess the planned work to ensure it does not pose a risk of damage to the pipeline and to ensure that access to the pipeline for maintenance or emergency purposes is not impeded.

Obstacles on a right-of-way, such as sheds, trailers, boats, garbage and vegetation can interfere with TC Energy's pipeline maintenance program (detailed in safety section above). In some cases, TC Energy may require additional time to assess the situation prior to providing consent.

### In review, prior to commencing any activities in proximity to the pipeline, you must:

- Make a locate request
- Obtain TC Energy's written consent (apply online at [writtenconsent.transcanada.com](http://writtenconsent.transcanada.com) or call 1-877-872-5177). Often written consent for minor activities can be obtained directly from regional TC Energy representative through a locate request.
- Obtain TC Energy's safety practices to be followed while working in the vicinity of its pipes or prescribed area and information that clearly explains the significance of the locate markings.

## Mobile equipment and vehicle crossings

The operation of a vehicle or mobile equipment across a TC Energy right-of-way requires TC Energy's written consent, except in the following circumstances:

- Vehicle or mobile equipment is operating within the travelled portion of a highway or public road across the right-of-way
- Vehicle and mobile equipment is being used to perform an agricultural activity and the following conditions are being met:
  1. The loaded axle weight and tire pressures of the vehicle is being operated within the manufacturer's approved limits and operating guidelines; and
  2. The point of crossing has not been identified by TC Energy as a location where a crossing could impair the pipeline's safety or security

## Agricultural activities

Agricultural activity involves the work of producing crops and raising livestock and includes tillage, plowing, disking, harrowing, and pasturing but does not include the construction of new buildings or the placement of footings, foundations, pilings or posts.

The following agricultural activities do not require written consent from TC Energy:

- Cultivation activities (e.g. tillage, plowing, disking and harrowing) to a depth of less than 45 centimetres, as these activities are exempt from the applicable statutory definitions of a ground disturbance (See the Approvals for Working Around TC Energy's Facilities section).
- Agricultural vehicle and mobile equipment crossings as described in the mobile equipment and vehicle crossings section above.





Warning sign



Warning sign



Vent marker



Aerial marker

## Development on or near the pipeline right-of-way

It is important for municipal authorities, developers and landowners to consult with TC Energy early in the planning stage of a development project on or near a right-of-way to ensure that TC Energy's pipelines and facilities are appropriately incorporated into the plan and that any new development near our facilities meets regulatory and TC Energy requirements.

Contact TC Energy before developing within 750 metres of TC Energy compressor stations and pump stations so that we can analyze potential impacts and recommend measures to protect adjacent lands from industrial impacts.

TC Energy requires significant advance notice for any development which increases the population density within approximately 200 metres of a pipeline. Population growth means potential changes to the operating requirements of the pipeline, and could result in a revision to operating pressure, a pipeline replacement, and/or other mitigation actions as necessary. Failure to consult with TC Energy in advance may result in significant delays and costs to the development. during these patrols to identify gas leaks.

Municipalities often prescribe minimum setback distances to restrict the building of a structure within a prescribed distance from a curb, property line, right-of-way or structure. These setbacks can help to minimize the risk of damage to buried infrastructure. As municipal setback requirements vary, contact the local authority and TC Energy to determine the requirements in your area.

**Any ground disturbance within 30 metres of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-of-way), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC Energy's written consent.**

For detailed guidelines about applying for written consent from TC Energy, visit [writtenconsent.transcanada.com](https://www.transcanada.com/writtenconsent) or call **1-877-872-5177**. A copy of the guidelines can also be provided upon request.

The following must be taken into consideration when planning a development project.

**Subdivisions** – Contact TC Energy early in the design process so that we can comment on the proposed subdivision plans. TC Energy's practice is that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

**Roads and Utilities** – Contact TC Energy when designing roads and utilities. Roads may be permitted to cross and/or run parallel to the right-of-way, but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). TC Energy will also review the location of utilities, which are often proposed to be installed within road allowances.

**Blasting** – Contact TC Energy before conducting any blasting activities within 300 metres of the pipeline right-of-way so TC Energy can review your plans for potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40 metres of a federally regulated pipeline right-of-way require permission from the CER.

**Landscaping** – Contact TC Energy for written consent before landscaping. Projects such as pedestrian pathways and the planting of trees and shrubs may be permitted as long as they do not impede TC Energy's access along its right-of-way for operational or maintenance activities. Our written consent will specify the permitted landscaping requirements.

## Important contact information

### Canadian One-Call centres

British Columbia . . . . . 1-800-474-6886  
Alberta . . . . . 1-800-242-3447  
Saskatchewan. . . . . 1-866-828-4888  
Manitoba . . . . . 1-800-940-3447  
Ontario . . . . . 1-800-400-2255  
Quebec . . . . . 1-800-663-9228  
[www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com)

### Mobile phone apps

Saskatchewan. . . . . Sask1st Call  
Quebec . . . . . Info-Excavation  
Emergency . . . . . 1-888-982-7222

### General inquiries

Phone . . . . . 1-855-458-6715  
Email . . . . . [public\\_awareness@tcenergy.com](mailto:public_awareness@tcenergy.com)

### Landowner inquiries

Phone . . . . . 1-866-372-1601  
Email . . . . . [cdn\\_landowner\\_help@tcenergy.com](mailto:cdn_landowner_help@tcenergy.com)

### Applying for written consent

Online. . . . . [writtenconsent.transcanada.com](http://writtenconsent.transcanada.com)  
Phone . . . . . 1-877-872-5177

### Crossings inquiries

Email . . . . . [crossings@tcenergy.com](mailto:crossings@tcenergy.com)  
Quebec email. . . . . [quebec\\_crossings@tcenergy.com](mailto:quebec_crossings@tcenergy.com)

The majority of TC Energy's pipelines are regulated by the Canada Energy Regulator in Canada, with some pipelines regulated provincially. For more information on CER-regulated pipelines, visit [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca).



## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** July 29, 2020

**Date of Receipt:**

July 15, 2020

**Date of Completeness:**

July 21, 2020

**TO: Landowner:** Lorna Maureen McRae  
**Agent:** M.D. of Pincher Creek No. 9  
**Surveyor:** Michael A. Thompson, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, Historical Resources Administrator, AER, Canada Post, Nova Gas Transmission, Beaver Mines Community Association

**Adjacent Landowners:** 1232694 Alberta Ltd., Allan George & Edna Faye Layton, Andrea Hlady & James D Moller, Barbara A Mcrae, Brent Barbero & Gloria Jean Barbero, Clayton Josiah Manson, Clint Richard Davis & Caitlin Lee Kerr, Glenn Marshall & Joyce Elaine Morrison, Gregory Paul & Barbara Hession, Jake Gary Noble, James Edmund Evans, Janet Ellen Samber, Karen & Heinrich Brunner, Karla Lee Guyn, Kenneth W & Sharon A Fast, Kristopher Larson, Kurt H Weissenborn, Leslie Todd Guyn, Leslie Wayne & Carolyn Mclaurie, Lorraine Guyn, Lyle R Noble, Marilyn & Bert L Nyrose, Michael Miles Morley, Michael Patrick Kesler, Peter F Sherrington, Richard & Dianne Gail Bernstein, Steven John Oczkowski, Steven R Guindon, Susan White, Tyler John Pereverziff & Breanne Marie Bennett, William J H Stutt, Willy Peters

**Planning Advisor:** Gavin Scott



The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 17, 2020**. (Please quote our File No. 2020-0-089 in any correspondence with this office).

**File No.:** 2020-0-089  
**Legal Description:** SW1/4 10-6-2-W5M  
**Municipality:** M.D. of Pincher Creek No. 9  
**Land Designation:** Agriculture - AG  
(Zoning)  
**Existing Use:** Agricultural  
**Proposed Use:** Public Utility



**# of Lots Created:** 1  
**Certificate of Title:** 131 154 672  
**Meeting Date:** September 1, 2020

*Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.*

**Planner's Preliminary Comments:**

The proposal is to accommodate the subdivision of public works related infrastructure and the extension of 5<sup>th</sup> Street for access the parcel.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.
7. That a waiver of the Municipal Development Plan agricultural subdivision policies be granted by the Subdivision Approval Authority of the MD of Pincher Creek.

**RESERVE:**

The 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 0.52 acres be deferred by caveat for Municipal Reserve purposes.

**PROCESSING NOTES:** No further comment pending a site inspection.

**Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.**



**APPLICATION FOR SUBDIVISION  
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1040.00	File No: 2020-0-089
APPLICATION SUBMISSION	
Date of Receipt: July 15, 2020	Received By: <i>[Signature]</i>
Date Deemed Complete: July 21, 2020	Accepted By: <i>[Signature]</i>

**1. CONTACT INFORMATION**

**Name of Registered Owner of Land to be Subdivided:** Lorna Maureen McRae

Mailing Address: 82 Rossdale Way SE City/Town: Medicine Hat

Postal Code: T1B 1X8 Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

**Name of Agent (Person Authorized to act on behalf of Registered Owner):** Municipal District of Pincher Creek No. 9

Mailing Address: Box 279 City/Town: Pincher Creek

Postal Code: T0K 1W0 Telephone: 403-627-5070 Cell: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

**Name of Surveyor:** Halma Thompson Land Surveys Ltd.

Mailing Address: 200-410 Stafford Drive S Lethbridge City/Town: Lethbridge

Postal Code: T1J 2L2 Telephone: 403-381-1320 Cell: \_\_\_\_\_

Email: mthompson@htlandsurveys.ca Preferred Method of Correspondence: Email  Mail

**2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED**

a. All/part of the SW ¼ Section 10 Township 6 Range 2 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)

b. Being all/part of: Lot/Unit \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

c. Total area of existing parcel of land (to be subdivided) is: 0.272 hectares 0.67 acres

d. Total number of lots to be created: 1 Size of Lot(s): See Plan

e. Rural Address (if applicable): \_\_\_\_\_

f. Certificate of Title No.(s): 131 154 672

**3. LOCATION OF LAND TO BE SUBDIVIDED**

a. The land is located in the municipality of Municipal District of Pincher Creek No. 9

b. Is the land situated immediately adjacent to the municipal boundary? Yes  No   
If "yes", the adjoining municipality is \_\_\_\_\_

c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes  No   
If "yes" the highway is No. 507, 774

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes  No   
If "yes", state its name \_\_\_\_\_

e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown  Yes  No

**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land Undeveloped
- b. Proposed use of the land Public Utility Lot

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) flat
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
Bush
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) clay
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.  
\_\_\_\_\_
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

- a. Describe existing source of potable water none
- b. Describe proposed source of potable water none

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type none Year Installed \_\_\_\_\_
- b. Describe proposed sewage disposal: Type none

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I, Michael Thompson hereby certify that

- I am the registered owner
- I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed:  Date: July 14, 2020

**9. RIGHT OF ENTRY**

I, Michael Thompson, as agent do  / do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act

  
Signature of Registered Owner(s)

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0021 177 358            5;2;6;10;SW                      131 154 672

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 2 TOWNSHIP 6  
SECTION 10  
QUARTER SOUTH WEST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THOSE PORTIONS ON THE FOLLOWING PLANS:

PLAN	NUMBER	HECTARES (ACRES)	MORE OR LESS
SUBDIVISION - BEAVER MINES	7850AL	5.36	(13.25)
SUBDIVISION	8410908	0.971	( 2.40)
ROAD	8711690	2.27	( 5.61)

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 031 112 261 +6

---

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
131 154 672	28/06/2013	TRANSFER OF LAND	\$500,000	SEE INSTRUMENT

---

OWNERS

LORNA MAUREEN MCRAE  
OF 82 ROSSDALE WAY SE  
MEDICINE HAT  
ALBERTA T1B 1X8

(DATA UPDATED BY: CHANGE OF ADDRESS 161064048)  
(DATA UPDATED BY: CHANGE OF ADDRESS 181057343)

---

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
6966HT	10/02/1960	UTILITY RIGHT OF WAY GRANTEE - THE ALBERTA GAS TRUNK LINE CO LTD.

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 131 154 672

REGISTRATION  
NUMBER            DATE (D/M/Y)            PARTICULARS

AS TO PORTION OR PLAN:3038IC

1375IR .            31/12/1962 CAVEAT  
CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY  
LIMITED.

871 095 138        05/06/1987 CAVEAT  
RE : SURFACE LEASE  
CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY  
LIMITED.  
909 - 11TH AVE. S.W., CALGARY  
ALBERTA  
AGENT - J DOUGLAS GRAHAM

961 175 747        02/08/1996 CAVEAT  
RE : AMENDING AGREEMENT  
CAVEATOR - NOVA GAS TRANSMISSION LTD.  
801 SEVENTH AVE SW  
PO BOX 2535, STN M  
CALGARY  
ALBERTA T2P2N6  
AGENT - SHELLEY MUNDY

961 195 978        26/08/1996 CAVEAT  
RE : RIGHT OF WAY AGREEMENT  
CAVEATOR - NOVA GAS TRANSMISSION LTD.  
801-7 AVE SW, PO BOX 2535, STN M  
CALGARY  
ALBERTA T2P2N6  
AGENT - SHELLEY MUNDY

021 091 899        19/03/2002 CAVEAT  
RE : RIGHT OF WAY AGREEMENT  
CAVEATOR - NOVA GAS TRANSMISSION LTD.  
450-1 ST SW  
PO BOX 1000, STN M  
CALGARY  
ALBERTA T2P4K5  
AGENT - SHELLEY HENDERSON

141 038 674        11/02/2014 CAVEAT  
RE : PURCHASERS INTEREST  
CAVEATOR - BARBARA ANN MCRAE  
P.O. BOX 2439  
PINCHER CREEK  
ALBERTA T0K1W0

181 129 022        20/06/2018 CAVEAT  
RE : UTILITY RIGHT OF WAY  
CAVEATOR - ATCO GAS AND PIPELINES LTD.

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 3  
# 131 154 672

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		909 11 AVE SW CALGARY ALBERTA T2R1L8
191 037 952	22/02/2019	CAVEAT RE : LEASE INTEREST CAVEATOR - ATCO GAS AND PIPELINES LTD. 909 - 11TH AVENUE CALGARY ALBERTA T2R1L8
191 202 181	03/10/2019	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 202 190	03/10/2019	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 202 192	03/10/2019	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 202 197	03/10/2019	CAVEAT RE : LEASE INTEREST UNDER 20 ACRES CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 232 102	14/11/2019	CAVEAT RE : ACQUISITION OF LAND CAVEATOR - MUNICIPAL DISTRICT OF PINCHER CREEK. P.O. BOX 279 PINCHER CREEK ALBERTA TOK1W0

( CONTINUED )

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS

191 232 107      14/11/2019 CAVEAT  
RE : ACQUISITION OF LAND  
CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK  
NO. 9.  
BOX 279, PINCHER CREEK  
ALBERTA T0K1W0

TOTAL INSTRUMENTS: 015

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 14 DAY OF JULY,  
2020 AT 09:53 A.M.

ORDER NUMBER:    39694852

CUSTOMER FILE NUMBER:    H05920

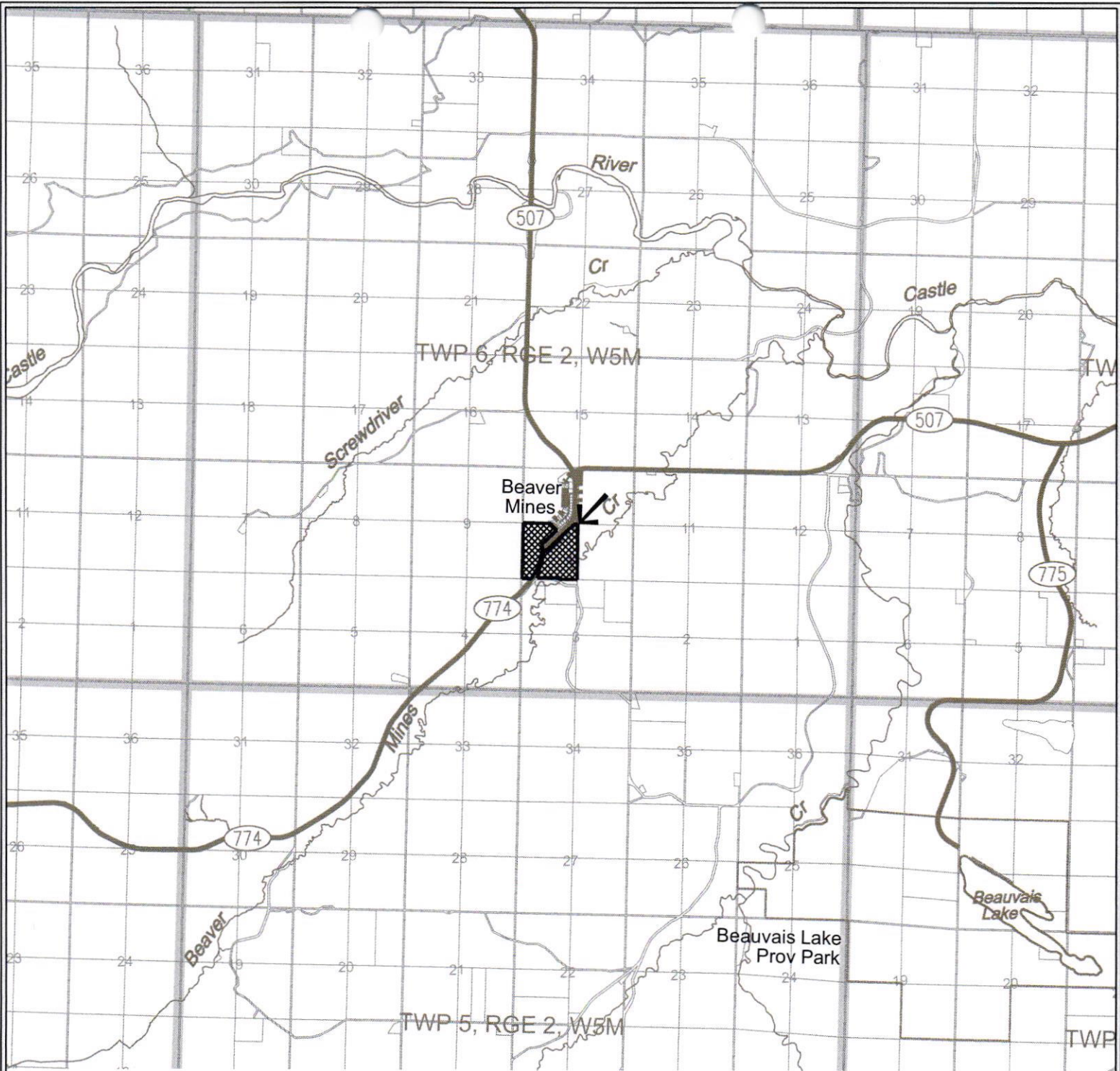


\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



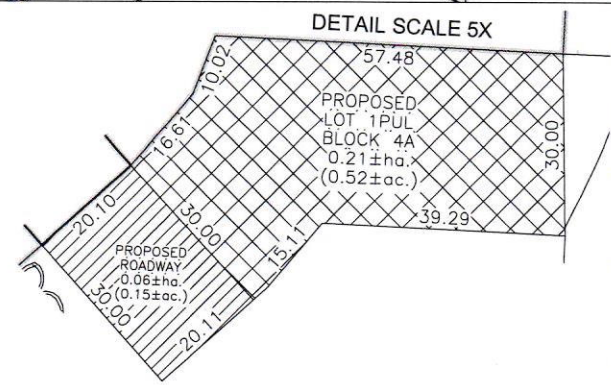
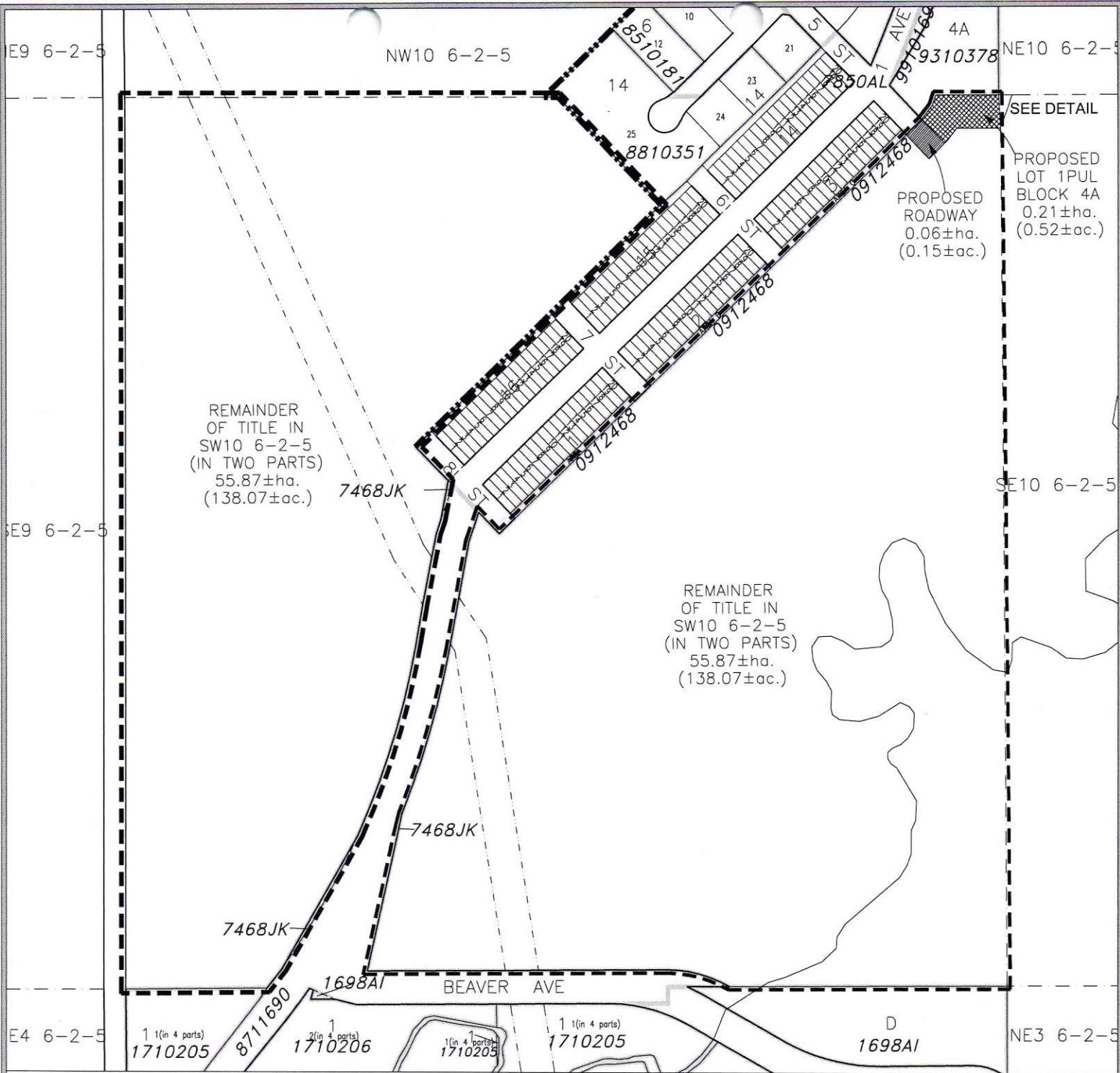


**SUBDIVISION LOCATION SKETCH**  
**WITHIN SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: JULY 22, 2020**  
**FILE No: 2020-0-089**

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 2105 100 AVENUE NORTH, LETSABOULE, AB T1N 1S6  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*

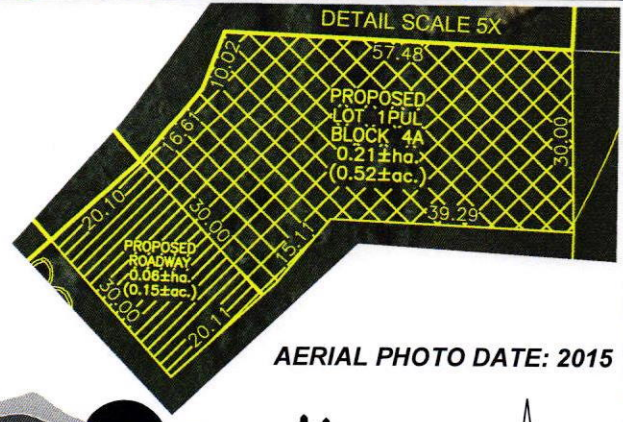






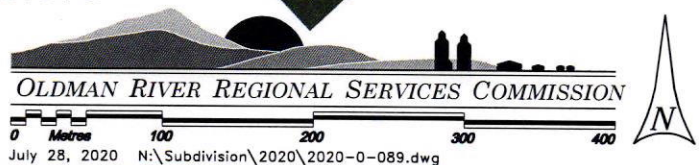
**SUBDIVISION SKETCH**  
 WITHIN SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: JULY 22, 2020  
 FILE No: 2020-0-089



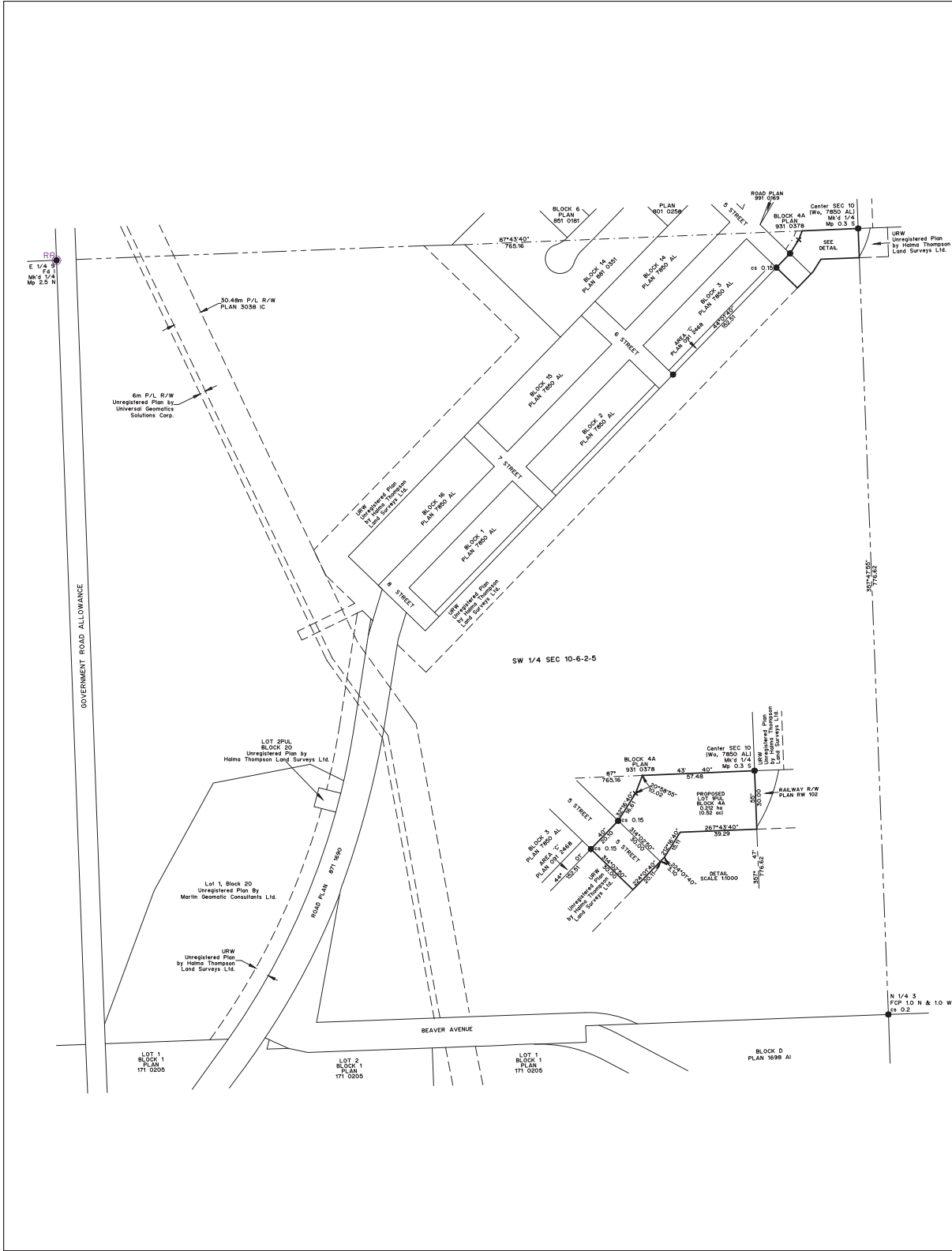


**SUBDIVISION SKETCH**  
 WITHIN SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: JULY 22, 2020  
 FILE No: 2020-0-089

AERIAL PHOTO DATE: 2015







<b>SUBDIVISION AUTHORITY</b> OLDMAN RIVER REGIONAL SERVICES COMMISSION																																																														
<b>FILE:</b> MUNICIPAL DISTRICT OF PINCHER CREEK No. 9 BOX 279 PINCHER CREEK, AB T0K 2W0																																																														
<b>CLIENT:</b> MUNICIPAL DISTRICT OF PINCHER CREEK No. 9 BOX 279 PINCHER CREEK, AB T0K 2W0		<b>SURVEYOR:</b> MICHAEL A. THOMPSON, ALS																																																												
<b>DESCRIPTION OF PROPERTY:</b> CIVIC ADDRESS: ATS DESCRIPTION: SW 1/4 SEC 10, TWP 6, RGE 2, W 5th MER C of T 131 154 672 REGISTERED OWNERS: LORNA MAUREN MCRAE																																																														
<b>ABBREVIATIONS:</b> <table border="0"> <tr> <td>Central Angle of Curve</td> <td>Mp</td> <td>2 metre standard Alberta</td> </tr> <tr> <td>Diameter</td> <td>Survey Marker Post</td> <td></td> </tr> <tr> <td>Arc</td> <td>MR</td> <td>Municipal Reserve</td> </tr> <tr> <td>Acres</td> <td>N.E.S.W</td> <td>North, East, South, West</td> </tr> <tr> <td>ASCM</td> <td>NAD</td> <td>North American Datum</td> </tr> <tr> <td>A/R</td> <td>Access Road</td> <td></td> </tr> <tr> <td>C of T</td> <td>Certificate of Title</td> <td>PPP</td> </tr> <tr> <td>ckm</td> <td>Check Measured</td> <td>Pts</td> </tr> <tr> <td>cs</td> <td>Countersunk</td> <td>Pl</td> </tr> <tr> <td>CSRS</td> <td>Canadian Spatial Reference System</td> <td>P/L</td> </tr> <tr> <td>FGP</td> <td>Fence Corner Post</td> <td>R</td> </tr> <tr> <td>Fd</td> <td>Found</td> <td>RRI</td> </tr> <tr> <td>ha</td> <td>Hectares</td> <td>R/W</td> </tr> <tr> <td>St</td> <td>Stalutary Iron Post</td> <td>Re-est</td> </tr> <tr> <td>km</td> <td>Kilometre</td> <td>Re-est</td> </tr> <tr> <td>LSD</td> <td>Legal Subdivision</td> <td>RGE</td> </tr> <tr> <td>m</td> <td>Metre</td> <td>SEC</td> </tr> <tr> <td>M</td> <td>Mound</td> <td>TWP</td> </tr> <tr> <td>MER</td> <td>Meridian</td> <td>URW</td> </tr> <tr> <td>Mk</td> <td>Mark</td> <td>UTM</td> </tr> </table>			Central Angle of Curve	Mp	2 metre standard Alberta	Diameter	Survey Marker Post		Arc	MR	Municipal Reserve	Acres	N.E.S.W	North, East, South, West	ASCM	NAD	North American Datum	A/R	Access Road		C of T	Certificate of Title	PPP	ckm	Check Measured	Pts	cs	Countersunk	Pl	CSRS	Canadian Spatial Reference System	P/L	FGP	Fence Corner Post	R	Fd	Found	RRI	ha	Hectares	R/W	St	Stalutary Iron Post	Re-est	km	Kilometre	Re-est	LSD	Legal Subdivision	RGE	m	Metre	SEC	M	Mound	TWP	MER	Meridian	URW	Mk	Mark	UTM
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MER	Meridian	URW																																																												
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<b>LEGEND:</b> ● Alberta Survey Control Marker ● Stalutary iron post found ○ Stalutary iron post placed, marked P254																																																														
<b>NOTES:</b> 1. The georeferenced point is a found stalutary iron post, UTM NAD83(CSRS) Epoch 2002 Coordinate: 5,482,218.15 N, 702,699.49 E. 2. The georeferenced coordinate was calculated using Natural Resource Canada Precise Point Positioning service. 3. A combined factor of 0.999903 was used to scale ground distances to the projected plane. 4. Field survey was completed between the dates of March 16, 2020 and April 13, 2020.																																																														
THE EXISTENCE OR LOCATION OF ALL UTILITIES AS SHOWN ON OR OMITTED FROM THIS PLAN MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE LAND SURVEYOR. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR AS TO THE LOCATION OR ANY OMISSIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.																																																														
<table border="1"> <tr> <td>O</td> <td>2020-07-13</td> <td>ORIGINAL SUBMISSION</td> <td>D.L.</td> <td>M.T.</td> </tr> <tr> <td>ISSUE</td> <td>DATE</td> <td>REVISION</td> <td>CAD</td> <td>CHK</td> </tr> </table>			O	2020-07-13	ORIGINAL SUBMISSION	D.L.	M.T.	ISSUE	DATE	REVISION	CAD	CHK																																																		
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<b>MUNICIPAL DISTRICT OF PINCHER CREEK No.9</b>  <b>TENTATIVE PLAN</b> SHOWING PROPOSED SUBDIVISION OF PART OF SW 1/4 SEC 10, TWP 6, RGE 2, W 5th MER																																																														
<b>HAMLET OF BEAVER MINES</b> <b>MUNICIPAL DISTRICT OF PINCHER CREEK No. 9</b> <b>ALBERTA</b> SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY																																																														
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		200-410 Stratford Drive S Lethbridge AB, T1J 2L2 Phone (403) 381-1520 Fax (403) 381-1544																																																												
JOB H05920 DRAWING H05020TN																																																														

## DRAFT RESOLUTION

Our File: 2020-0-090

August 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,

**RE: Lot 1, Block 20, Plan 201\_\_\_\_\_ within SW1/4 10-6-2-W5M / M.D. of Pincher Creek No. 9**

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, AB Environment & Parks - J. Wu, Historical Resources Administrator, AER and Beaver Mines Community Association.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Gavin Scott  
Senior Planner

GS/jm  
Attachment

# RESOLUTION

2020-0-090

**M.D. of Pincher Creek No. 9 Public Utility** subdivision of Lot 1, Block 20, Plan 201\_\_\_\_\_ within SW1/4 10-6-2-W5M

THAT the Public Utility subdivision of Lot 1, Block 20, Plan 201\_\_\_\_\_ within SW1/4 10-6-2-W5M (Certificate of Title No. 131 154 672), to create a 0.11 acre (0.046 ha) Public Utility Lot (PUL) from a title of 138.74 acres (56.14 ha) for public utility use; BE APPROVED subject to the following:

**RESERVE:** That, the 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 0.52 acres be deferred by caveat for Municipal Reserve purposes.

## CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

## REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. That in accordance with Municipal Development Plan Part III A. a waiver of the agricultural subdivision policies was deemed appropriate and granted.

## INFORMATIVE:

- (a) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (b) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (c) TELUS Communications Inc. has no objections to the above noted circulation.
- (d) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.

- (e) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) #771 130 527.

Therefore, ATCO Gas has no objection to the proposed subdivision.

- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

- (g) Alberta Health Services – Wade Goin, Executive Officer/Public Health Inspector:

“In response to the request for comment on the above noted subdivision, we have reviewed the information and wish to provide the following comments:

- Alberta Health Services does not object to this subdivision provided all other pertinent bylaws, regulations and standards are complied with.

If you require any further information, please call me at 403-562-5030.”

- (h) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a public utility lot at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

Alberta Transportation’s primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, the lot to be created will gain direct access to Highway 774 for the use of a water booster station only. As such, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the public utility lot as proposed would have any appreciable impact on the provincial highway network.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

The applicant would also be advised that any development within the highway right-of-way or within 300 metres beyond the limit of a controlled highway or within 800 metres from the center point of an intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403/382-4052, in this regard. Alberta Transportation issued Roadside Development Permit No. 5397-19 on March 21, 2019, to the Municipal District of Pincher Creek No. 9 to develop a water booster station for the Castle Area Regional Water Supply Project.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

(i) Canada Post has no comment.

(j) TC Energy - Kayla McCarthy, Community Planner, B&A Planning Group:

“Thank you for sending B&A Planning Group notice of this project on July 29, 2020. B&A is the land use planning consultant for TC Energy (TC) in Western Canada. On behalf of TC, we work with municipalities and stakeholders regarding land use and development surrounding their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

As per the requirements of the Canada Energy Regulator (CER), additional development in proximity to TC’s pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity to the pipeline that may trigger a pipeline Class upgrade.

#### Description of Proposed Development

We understand that this application is to create a 0.11 acre (0.046 ha) parcel from a title of 138.74 acres (56.14 ha) for public utility use. The proposal is to accommodate the subdivision of public works related infrastructure. This application is within Lot 1, Block 20, Plan 201\_\_\_\_\_ within SW1/4 10-6-2-W5M. The current land use is Agricultural and proposed to be Public Utility.

Please refer to Attachment 01 Approximate Location of TC Infrastructure for maps that show the proposal in relation to the approximate location of TC’s infrastructure.

#### Assessment of Proposed Development

As demonstrated in Attachment 01 Approximate Location of TC Infrastructure, the application is in close proximity to a TC Energy pipeline. Based on a discussion with ORRSC we understand that this PUL lot is for an existing water line and no new crossings of the TC Energy pipeline are proposed at this time. If there are crossings of the pipeline or ground disturbance within 30m of the pipeline proposed then written consent will be required from TC Energy.

#### Recommendations

TC has no objections to the application, but given the proximity to the TC pipeline and facility we have included some recommendations below that should be adhered to for all future development for your reference.

1. In order to identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place. Locate requests can be made online at [www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com) or by calling your local One-Call Centre. Locate requests generally take 72 hours to be completed.
2. No work may take place within TC’s pipeline right-of-way without a TC representative on site.
3. All permanent or temporary crossings of pipelines require written consent from TC Energy. Written consent may be obtained online through TC’s Canadian Third Party Crossing Application Portal at [writtenconsent.tcenergy.com](http://writtenconsent.tcenergy.com) or by calling 1-877-872-5177.
  - If the proponent plans to cross the pipeline in the future and applies through the online application portal noted above, please advise them to send the application # (“D#”) associated with that application to [tcenergy@bapg.ca](mailto:tcenergy@bapg.ca) for our records.

4. Ground disturbance is any work, operation or activity that results in an addition to or reduction of the earth cover on the ground, including but not limited to excavating, digging, ditching, plowing, stripping topsoil etc. Any ground disturbance within 30m of the pipeline, known as the “prescribed area” requires written consent from TC Energy. Written consent may be obtained online at [writtenconsent.tcenergy.com](http://writtenconsent.tcenergy.com) or by calling 1-877-872-5177.
5. Permanent structures shall not be installed anywhere on the ROW. TC Energy’s preference is that permanent structures should be placed at least seven (7) metres from the edge of the ROW and twelve (12) metres from the edge of the pipeline.
6. Temporary structures shall not be installed anywhere on the ROW. TC Energy’s preference is that temporary structures should be placed at least three (3) metres from the edge of the ROW and eight (8) metres from the edge of the pipeline.
7. As per the requirements of the Canada Energy Regulator (CER), TC Energy is required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed regarding any additional development within the Pipeline Assessment Area indicated in Attachment 01 *Approximate Location of TC Infrastructure*.

Requirements and guidelines for development on or near TC Energy’s pipelines and infrastructure are included within Attachment 02 *Work Safely Booklet*, and we recommend that they be reviewed in full.

#### Conclusion

Please continue to keep us informed about this project and any future policy, land use, subdivision, and development activities in proximity to TC’s pipelines and facilities. Referrals and any questions regarding land use planning and development around pipelines should be sent to [tcenergy@bapg.ca](mailto:tcenergy@bapg.ca). Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.”

(See Attachments)

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CHAIRMAN

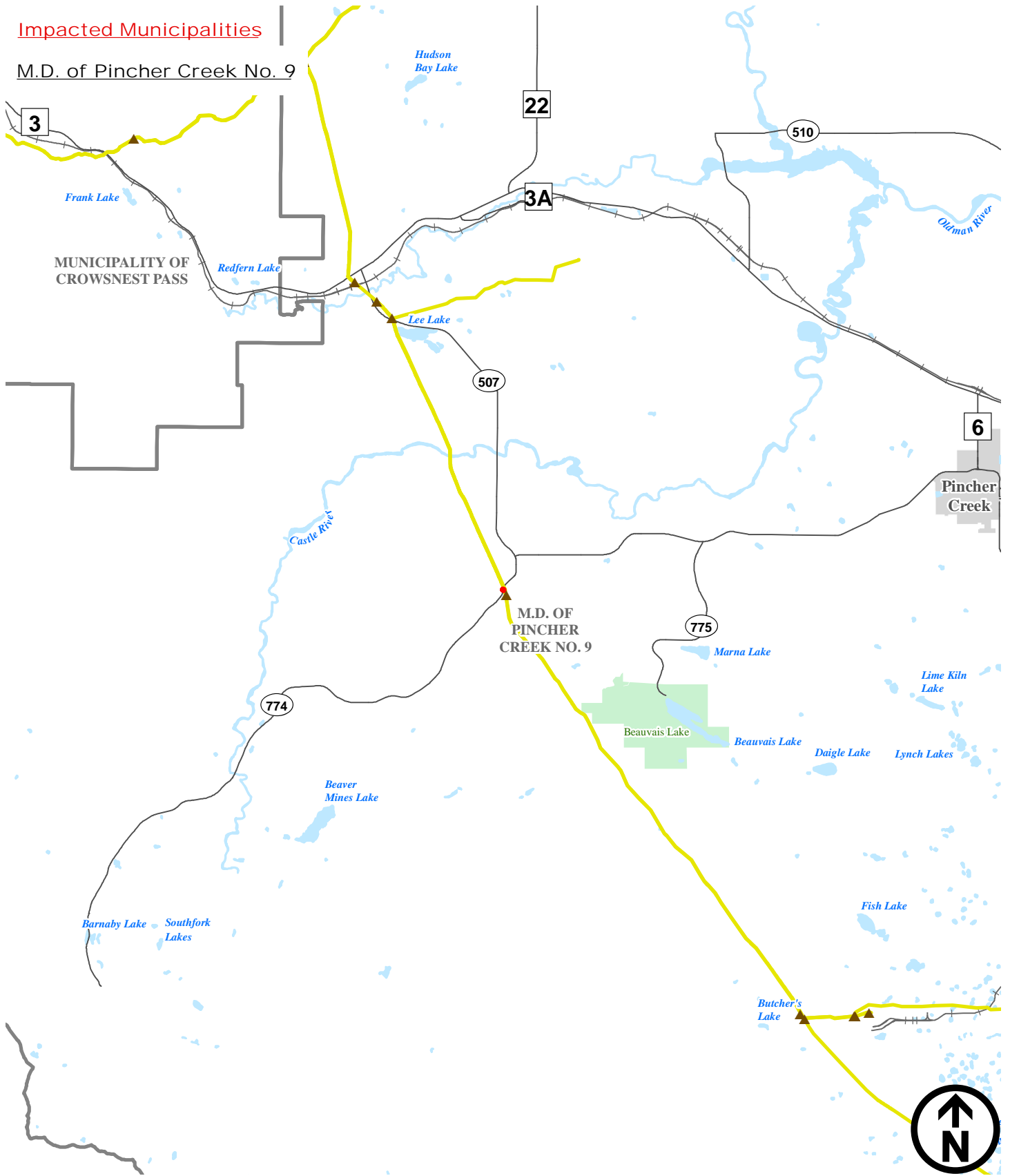
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DATE



**Impacted Municipalities**

M.D. of Pincher Creek No. 9



Map File: R01698AB\_Context

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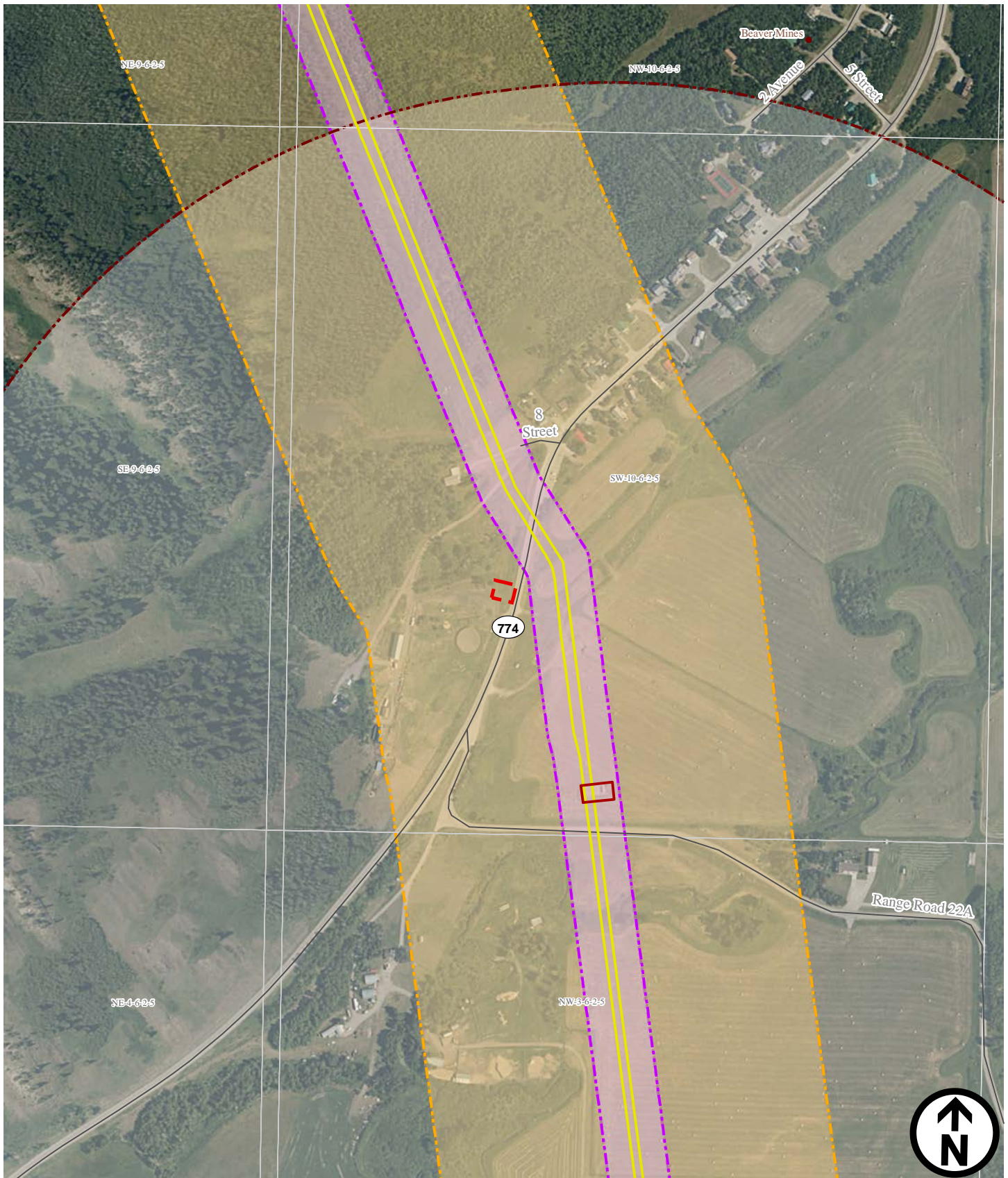


**Legend**

- Subject Site
- TC Energy Facility
- TC Energy Pipeline
- Railway
- Major Road
- Rural Municipality
- Urban Municipality
- Park
- Waterbody

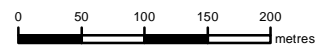


**Context Map**  
 Plan of Subdivision  
 M.D. of Pincher Creek No. 9  
 Referral #: **R01698AB**  
 TC Region: **Rocky Mountain**  
 July 2020



Map File: R01698AB\_Concept

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**Legend**

- Subject Site
- TC Energy Pipeline
- TC Energy Facility
- Prescribed Area (30m)
- Pipeline Assessment Area (220m)
- Facility Assessment Area (800m)
- Hamlet
- Road
- Quarter Section

## TC Energy Infrastructure

### Plan of Subdivision

M.D. of Pincher Creek No. 9

Referral #: **R01698AB**

*Map and data for informational and planning purposes only  
Conceptual alignment only. Aerial Source: ESRI*

July 2020



# Work safely.

## Development near our pipelines and facilities

These guidelines are intended to provide useful and timely safety information. TC Energy endeavors to ensure the information is as current and accurate as possible.

[TCEnergy.com](https://www.tchenery.com)



## About us

For over 65 years, TC Energy has proudly delivered the energy millions of North Americans rely on to power their lives and fuel industry.

Guided by our values of safety, responsibility, collaboration and integrity, our more than 7,000+ employees are deeply rooted in their communities and ensure that we develop and operate our facilities safely, reliably and with minimal impact on the environment. We are committed to listening to our neighbours and working with all our stakeholders to develop better project plans and create long-term opportunities and economic benefits in the communities where we operate across Canada, the U.S. and Mexico.

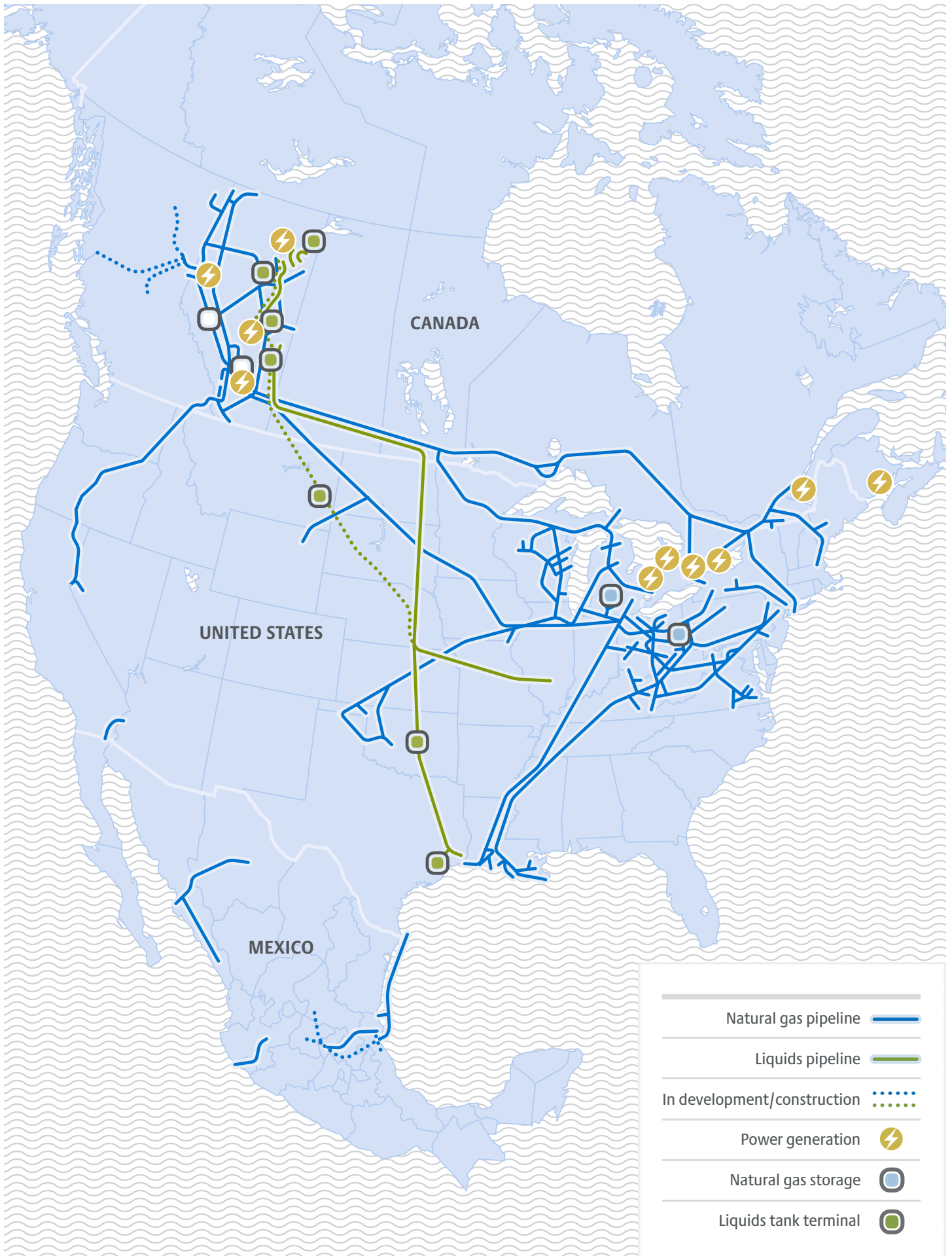
In May 2019, we changed our name from TransCanada to TC Energy to better reflect the scope of our operations and to reinforce our position as a leading North American energy infrastructure company. Whether our stakeholders know us as TC Energy in English, TC Énergie in French, or TC Energía in Spanish, our neighbours, partners and investors can continue to count on us to follow through on our commitments and live up to our values in everything we do.

## Our pipelines

Pipelines are the safest and most efficient method to transport natural gas and oil to market. Natural gas is odourless, colourless and will dissipate quickly when released because it is lighter than air. However, the gas is flammable and can be explosive if ignited. Crude oil is a liquid mixture of naturally occurring petroleum hydrocarbons and can possess a rotten egg, gasoline, tar or “skunk-like” odour. Crude oil vapours are volatile, and can be flammable and explosive.

Typically, TC Energy does not own the land where our pipelines are located, but instead acquires the right prior to construction to install and operate the pipeline and related facilities within a pipeline right-of-way through an easement or right-of-way agreement with the landowner. The terms of the right-of-way agreements vary but generally provide TC Energy with the right to access, construct, operate, maintain and abandon the pipeline within the right-of-way.

The width of the right-of-way is based on the size and type of the pipeline and related facilities. By contrast, TC Energy does typically own the land where both compressor stations, which re-pressurize gas along the pipeline to ensure the gas flows continuously at a desired flow rate, and pump stations, which pump oil through the pipeline from one point to the next, are located. The lands required for meter stations, which measure product volume, are either leased directly from landowners or owned by TC Energy.





## Regulatory requirements

TC Energy's pipeline design, construction and maintenance programs meet or exceed industry and government standards. In Canada, our operations are regulated by provincial and federal authorities including the Canada Energy Regulator (CER). Legislation and regulations set out the requirements governing activities in proximity and on pipeline rights-of-way, including vehicle and equipment crossings, construction of facilities on or near a right-of-way, and other activities that could cause ground disturbances, which might impact the pipeline. Such legislation and regulations aim to ensure the safety and protection of the public, our employees, the environment as well as our pipeline facilities and other property.

## Safety

At TC Energy, we seek to anticipate and minimize hazards of every description. From design and construction to operation and maintenance, safety is an integral part of everything we do. TC Energy regularly communicates pipeline safety information to stakeholders through our public awareness program.

Our safety practices include monitoring changes in land use near our pipeline facilities. This can involve meetings with landowners, municipal decision makers, administrative staff and land use planners.

TC Energy also has an extensive pipeline maintenance program that ensures our pipeline facilities are regularly monitored, inspected and repaired in order to meet or exceed best industry practices and regulatory requirements. Our entire pipeline transmission system is monitored from our control centres 24 hours a day, 7 days a week. In addition, TC Energy carries out the following activities as part of our pipeline maintenance program:

**Aerial patrols** – TC Energy carries out aerial patrols of the pipeline route to identify hazards from outside sources, including unauthorized construction and ground disturbances near the pipeline. Sensitive detection equipment may be used during these patrols to identify gas leaks.

**In-line pipeline inspections** – TC Energy conducts in-line pipeline inspections using tools that travel through the pipeline collecting data and looking for locations where corrosion, metal loss or dents may have occurred.

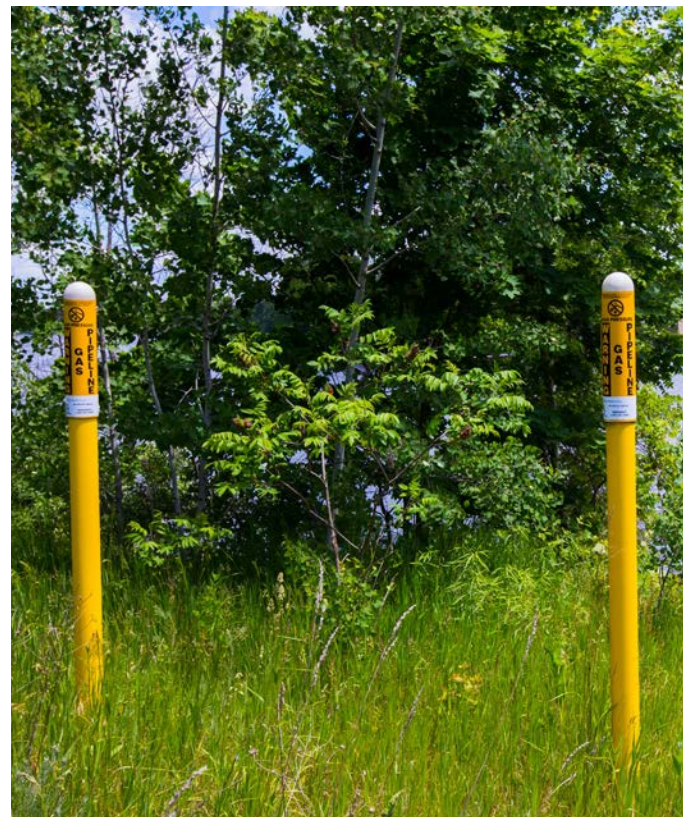
**Hydrostatic testing** – TC Energy uses hydrostatic testing, typically at the completion of pipeline construction, but to verify the safety of existing pipelines. Sections of the pipeline are filled with water and the pressure is increased beyond normal operating pressure to test pipeline strength and identify any pipeline leaks.

**Cathodic protection** – TC Energy uses cathodic protection, which involves applying a low-voltage electrical current to the metal pipe to protect the pipeline against corrosion. The cathodic protection system is monitored regularly to ensure proper protection against pipeline corrosion.

**Pipeline signage** – TC Energy installs pipeline signs at all road, rail, and waterbody crossings and at other strategic points along the pipeline route to identify the approximate location of our pipelines. Pipeline signs contain important information such as:

- The owner of the pipeline
- The product shipped in the pipeline
- Emergency contact numbers

**BE AWARE:** Pipeline signs will not designate the exact location, depth or number of pipelines in the area. Contact your local one-call centre and TC Energy will send a representative to the proposed excavation site to mark the pipeline.





## Approvals for working around

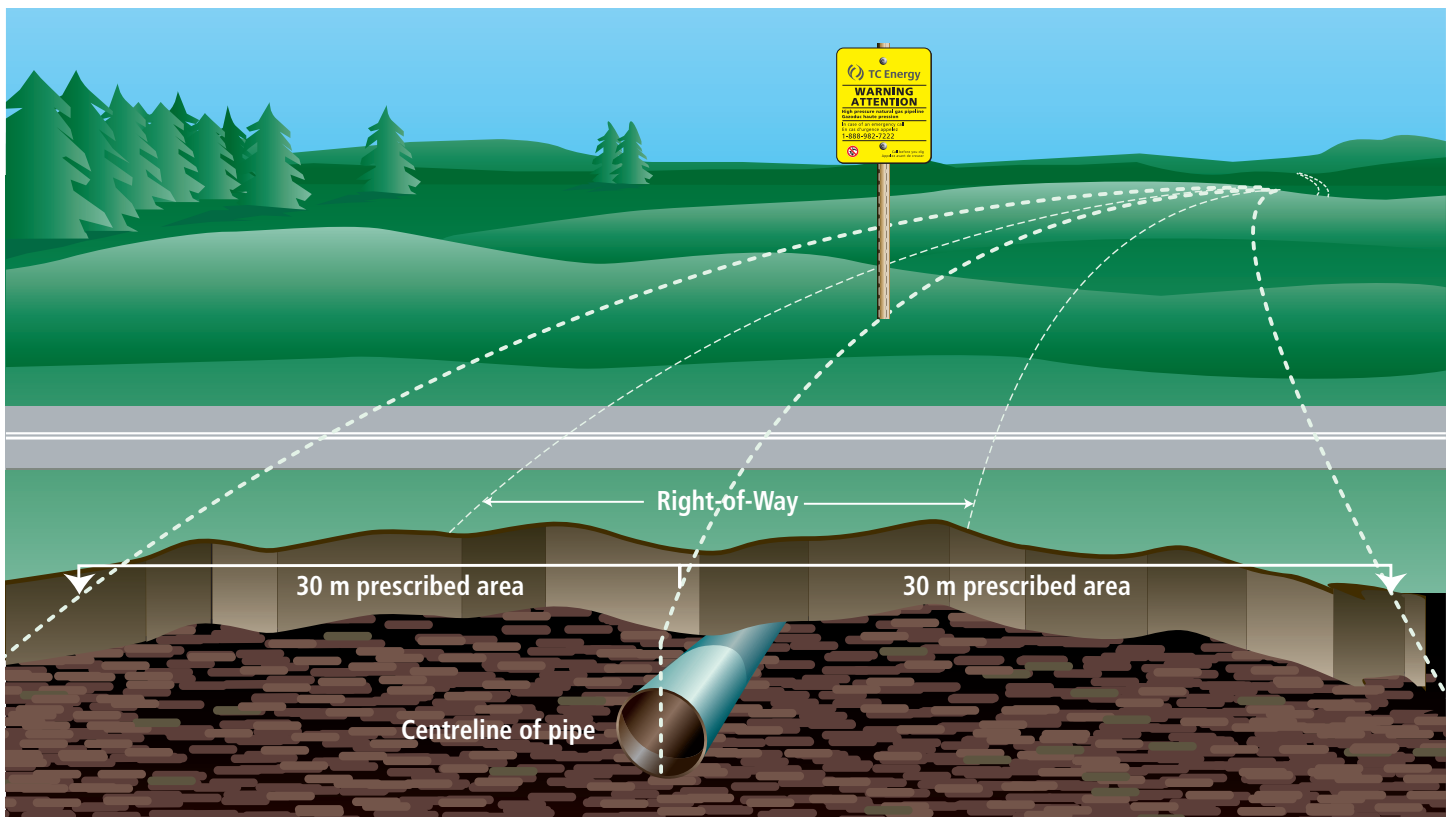
### TC Energy's facilities

To ensure our pipelines and facilities operate safely, written consent from TC Energy must be obtained in Canada before any of the following:

- Constructing or installing a facility across, on, along or under a TC Energy pipeline right-of-way
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres or 100 feet from the centreline of the pipeline)
- Driving a vehicle, mobile equipment or machinery across a TC Energy pipeline right-of-way outside the travelled portion of a highway or public road
- Using any explosives within 300 metres or 1,000 feet of TC Energy's pipeline right-of-way
- Use of the prescribed area for storage purposes

### The following are examples of ground disturbances:

- Digging
- Excavation
- Trenching
- Tunneling
- Boring/drilling/pushing
- Augering
- Topsoil stripping
- Land leveling/grading
- Plowing to install underground infrastructure
- Tree or shrub planting
- Cleaning and stump removal
- Subsoiling
- Blasting/using explosives
- Quarrying
- Grinding and milling of asphalt/concrete
- Seismic exploration
- Driving fence posts, bar, rods, pins, anchors or pilings
- In-ground swimming pools



## Locate request

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must request a locate service.

Locate requests can be made online ([www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com)), via mobile apps (Saskatchewan and Quebec) or via phone (see the back of this booklet for more details). The locate request must be made at least three working days in advance of the ground disturbance, construction activity, or vehicle or mobile equipment crossing.

The One-Call Centre will notify TC Energy to send a representative to mark the facilities with flags, paint or other markings in order to help you avoid damaging them. The TC Energy representative will explain the significance of the markings and provide you with a copy of the locate report. The service is free and could prevent accidents, injuries or deaths.

## Written consent

After you apply for written consent, TC Energy will assess the planned work to ensure it does not pose a risk of damage to the pipeline and to ensure that access to the pipeline for maintenance or emergency purposes is not impeded.

Obstacles on a right-of-way, such as sheds, trailers, boats, garbage and vegetation can interfere with TC Energy's pipeline maintenance program (detailed in safety section above). In some cases, TC Energy may require additional time to assess the situation prior to providing consent.

### In review, prior to commencing any activities in proximity to the pipeline, you must:

- Make a locate request
- Obtain TC Energy's written consent (apply online at [writtenconsent.transcanada.com](http://writtenconsent.transcanada.com) or call 1-877-872-5177). Often written consent for minor activities can be obtained directly from regional TC Energy representative through a locate request.
- Obtain TC Energy's safety practices to be followed while working in the vicinity of its pipes or prescribed area and information that clearly explains the significance of the locate markings.

## Mobile equipment and vehicle crossings

The operation of a vehicle or mobile equipment across a TC Energy right-of-way requires TC Energy's written consent, except in the following circumstances:

- Vehicle or mobile equipment is operating within the travelled portion of a highway or public road across the right-of-way
- Vehicle and mobile equipment is being used to perform an agricultural activity and the following conditions are being met:
  1. The loaded axle weight and tire pressures of the vehicle is being operated within the manufacturer's approved limits and operating guidelines; and
  2. The point of crossing has not been identified by TC Energy as a location where a crossing could impair the pipeline's safety or security

## Agricultural activities

Agricultural activity involves the work of producing crops and raising livestock and includes tillage, plowing, disking, harrowing, and pasturing but does not include the construction of new buildings or the placement of footings, foundations, pilings or posts.

The following agricultural activities do not require written consent from TC Energy:

- Cultivation activities (e.g. tillage, plowing, disking and harrowing) to a depth of less than 45 centimetres, as these activities are exempt from the applicable statutory definitions of a ground disturbance (See the Approvals for Working Around TC Energy's Facilities section).
- Agricultural vehicle and mobile equipment crossings as described in the mobile equipment and vehicle crossings section above.



Warning sign



Warning sign



Vent marker



Aerial marker

## Development on or near the pipeline right-of-way

It is important for municipal authorities, developers and landowners to consult with TC Energy early in the planning stage of a development project on or near a right-of-way to ensure that TC Energy's pipelines and facilities are appropriately incorporated into the plan and that any new development near our facilities meets regulatory and TC Energy requirements.

Contact TC Energy before developing within 750 metres of TC Energy compressor stations and pump stations so that we can analyze potential impacts and recommend measures to protect adjacent lands from industrial impacts.

TC Energy requires significant advance notice for any development which increases the population density within approximately 200 metres of a pipeline. Population growth means potential changes to the operating requirements of the pipeline, and could result in a revision to operating pressure, a pipeline replacement, and/or other mitigation actions as necessary. Failure to consult with TC Energy in advance may result in significant delays and costs to the development. during these patrols to identify gas leaks.

Municipalities often prescribe minimum setback distances to restrict the building of a structure within a prescribed distance from a curb, property line, right-of-way or structure. These setbacks can help to minimize the risk of damage to buried infrastructure. As municipal setback requirements vary, contact the local authority and TC Energy to determine the requirements in your area.

**Any ground disturbance within 30 metres of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-of-way), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC Energy's written consent.**

For detailed guidelines about applying for written consent from TC Energy, visit [writtenconsent.transcanada.com](https://www.transcanada.com/writtenconsent) or call **1-877-872-5177**. A copy of the guidelines can also be provided upon request.

The following must be taken into consideration when planning a development project.

**Subdivisions** – Contact TC Energy early in the design process so that we can comment on the proposed subdivision plans. TC Energy's practice is that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

**Roads and Utilities** – Contact TC Energy when designing roads and utilities. Roads may be permitted to cross and/or run parallel to the right-of-way, but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). TC Energy will also review the location of utilities, which are often proposed to be installed within road allowances.

**Blasting** – Contact TC Energy before conducting any blasting activities within 300 metres of the pipeline right-of-way so TC Energy can review your plans for potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40 metres of a federally regulated pipeline right-of-way require permission from the CER.

**Landscaping** – Contact TC Energy for written consent before landscaping. Projects such as pedestrian pathways and the planting of trees and shrubs may be permitted as long as they do not impede TC Energy's access along its right-of-way for operational or maintenance activities. Our written consent will specify the permitted landscaping requirements.

## Important contact information

### Canadian One-Call centres

British Columbia . . . . . 1-800-474-6886  
Alberta . . . . . 1-800-242-3447  
Saskatchewan. . . . . 1-866-828-4888  
Manitoba . . . . . 1-800-940-3447  
Ontario . . . . . 1-800-400-2255  
Quebec . . . . . 1-800-663-9228  
[www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com)

### Mobile phone apps

Saskatchewan. . . . . Sask1st Call  
Quebec . . . . . Info-Excavation  
Emergency . . . . . 1-888-982-7222

### General inquiries

Phone . . . . . 1-855-458-6715  
Email . . . . . [public\\_awareness@tcenergy.com](mailto:public_awareness@tcenergy.com)

### Landowner inquiries

Phone . . . . . 1-866-372-1601  
Email . . . . . [cdn\\_landowner\\_help@tcenergy.com](mailto:cdn_landowner_help@tcenergy.com)

### Applying for written consent

Online. . . . . [writtenconsent.transcanada.com](http://writtenconsent.transcanada.com)  
Phone . . . . . 1-877-872-5177

### Crossings inquiries

Email . . . . . [crossings@tcenergy.com](mailto:crossings@tcenergy.com)  
Quebec email. . . . . [quebec\\_crossings@tcenergy.com](mailto:quebec_crossings@tcenergy.com)

The majority of TC Energy's pipelines are regulated by the Canada Energy Regulator in Canada, with some pipelines regulated provincially. For more information on CER-regulated pipelines, visit [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca).



## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** July 29, 2020

**Date of Receipt:**

July 15, 2020

**Date of Completeness:**

July 21, 2020

**TO: Landowner:** Lorna Maureen McRae  
**Agent:** M.D. of Pincher Creek No. 9  
**Surveyor:** Michael A. Thompson, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, Historical Resources Administrator, AER, Canada Post, Nova Gas Transmission, Beaver Mines Community Association

**Adjacent Landowners:** 1232694 Alberta Ltd., Allan George & Edna Faye Layton, Andrea Hlady & James D Moller, Barbara A Mcrae, Brent Barbero & Gloria Jean Barbero, Clayton Josiah Manson, Clint Richard Davis & Caitlin Lee Kerr, Glenn Marshall & Joyce Elaine Morrison, Gregory Paul & Barbara Hession, Jake Gary Noble, James Edmund Evans, Janet Ellen Samber, Karen & Heinrich Brunner, Karla Lee Guyn, Kenneth W & Sharon A Fast, Kristopher Larson, Kurt H Weissenborn, Leslie Todd Guyn, Leslie Wayne & Carolyn Mclaurie, Lorraine Guyn, Lyle R Noble, Marilyn & Bert L Nyrose, Michael Miles Morley, Michael Patrick Kesler, Peter F Sherrington, Richard & Dianne Gail Bernstein, Steven John Oczkowski, Steven R Guindon, Susan White, Tyler John Pereverziff & Breanne Marie Bennett, William J H Stutt, Willy Peters

**Planning Advisor:** Gavin Scott



The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 17, 2020**. (Please quote our File No. 2020-0-090 in any correspondence with this office).

**File No.:** 2020-0-090

**Legal Description:** Lot 1, Block 20, Plan 201\_\_\_\_\_ within SW1/4 10-6-2-W5M

**Municipality:** M.D. of Pincher Creek No. 9

**Land Designation:** Agriculture - A  
(Zoning)

**Existing Use:** Agricultural

**Proposed Use:** Public Utility

**# of Lots Created:** 1  
**Certificate of Title:** 131 154 672  
**Meeting Date:** September 1, 2020

*Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.*

**Planner's Preliminary Comments:**

The purpose of this application is to create a 0.11 acre (0.046 ha) parcel from a title of 138.74 acres (56.14 ha) for public utility use.

The proposal is to accommodate the subdivision of public works related infrastructure.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.
7. That a waiver of the Municipal Development Plan agricultural subdivision policies be granted by the Subdivision Approval Authority of the MD of Pincher Creek.

**RESERVE:**

The 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 0.11 acres be deferred by caveat for Municipal Reserve purposes.

**PROCESSING NOTES:** No further comment pending a site inspection.

**Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.**





**APPLICATION FOR SUBDIVISION  
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1040.00	File No: 2020-0-090
APPLICATION SUBMISSION	
Date of Receipt: July 15, 2020	Received By: <i>[Signature]</i>
Date Deemed Complete: July 21, 2020	Accepted By: <i>[Signature]</i>

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Lorna Maureen McRae

Mailing Address: 82 Rossdale Way SE City/Town: Medicine Hat

Postal Code: T1B 1X8 Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): Municipal District of Pincher Creek No. 9

Mailing Address: Box 279 City/Town: Pincher Creek

Postal Code: T0K 1W0 Telephone: 403-627-5070 Cell: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

Name of Surveyor: Halma Thompson Land Surveys Ltd.

Mailing Address: 200-410 Stafford Drive S Lethbridge City/Town: Lethbridge

Postal Code: T1J 2L2 Telephone: 403-381-1320 Cell: \_\_\_\_\_

Email: mthompson@htlandsurveys.ca Preferred Method of Correspondence: Email  Mail

**2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED**

a. All/part of the SW ¼ Section 10 Township 6 Range 2 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)

b. Being all/part of: Lot/Unit 1 Block 20 Plan \_\_\_\_\_

c. Total area of existing parcel of land (to be subdivided) is: 0.046 hectares 0.11 acres

d. Total number of lots to be created: 1 Size of Lot(s): See Plan

e. Rural Address (if applicable): \_\_\_\_\_

f. Certificate of Title No.(s): 131 154 672

**3. LOCATION OF LAND TO BE SUBDIVIDED**

a. The land is located in the municipality of Municipal District of Pincher Creek No. 9

b. Is the land situated immediately adjacent to the municipal boundary? Yes  No   
If "yes", the adjoining municipality is \_\_\_\_\_

c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes  No   
If "yes" the highway is No. 507, 774

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes  No   
If "yes", state its name \_\_\_\_\_

e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown  Yes  No

**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land Undeveloped
- b. Proposed use of the land Public Utility Lot

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) flat
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
Grass
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) clay
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.  
\_\_\_\_\_
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

- a. Describe existing source of potable water none
- b. Describe proposed source of potable water none

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type none Year Installed \_\_\_\_\_
- b. Describe proposed sewage disposal: Type none

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I, Michael Thompson hereby certify that


- I am the registered owner
- I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed:  Date: July 14, 2020

**9. RIGHT OF ENTRY**

I, Michael Thompson, as agent do  / do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

  
Signature of Registered Owner(s)

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0021 177 358            5;2;6;10;SW                      131 154 672

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 2 TOWNSHIP 6  
SECTION 10  
QUARTER SOUTH WEST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THOSE PORTIONS ON THE FOLLOWING PLANS:

PLAN	NUMBER	HECTARES (ACRES)	MORE OR LESS
SUBDIVISION - BEAVER MINES	7850AL	5.36	(13.25)
SUBDIVISION	8410908	0.971	( 2.40)
ROAD	8711690	2.27	( 5.61)

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 031 112 261 +6

---

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
131 154 672	28/06/2013	TRANSFER OF LAND	\$500,000	SEE INSTRUMENT

---

OWNERS

LORNA MAUREEN MCRAE  
OF 82 ROSSDALE WAY SE  
MEDICINE HAT  
ALBERTA T1B 1X8

(DATA UPDATED BY: CHANGE OF ADDRESS 161064048)

(DATA UPDATED BY: CHANGE OF ADDRESS 181057343)

---

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
6966HT	10/02/1960	UTILITY RIGHT OF WAY GRANTEE - THE ALBERTA GAS TRUNK LINE CO LTD.

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 131 154 672

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
AS TO PORTION OR PLAN:3038IC		
1375IR	31/12/1962	CAVEAT CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
871 095 138	05/06/1987	CAVEAT RE : SURFACE LEASE CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. 909 - 11TH AVE. S.W., CALGARY ALBERTA AGENT - J DOUGLAS GRAHAM
961 175 747	02/08/1996	CAVEAT RE : AMENDING AGREEMENT CAVEATOR - NOVA GAS TRANSMISSION LTD. 801 SEVENTH AVE SW PO BOX 2535, STN M CALGARY ALBERTA T2P2N6 AGENT - SHELLEY MUNDY
961 195 978	26/08/1996	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - NOVA GAS TRANSMISSION LTD. 801-7 AVE SW, PO BOX 2535, STN M CALGARY ALBERTA T2P2N6 AGENT - SHELLEY MUNDY
021 091 899	19/03/2002	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - NOVA GAS TRANSMISSION LTD. 450-1 ST SW PO BOX 1000, STN M CALGARY ALBERTA T2P4K5 AGENT - SHELLEY HENDERSON
141 038 674	11/02/2014	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - BARBARA ANN MCRAE P.O. BOX 2439 PINCHER CREEK ALBERTA T0K1W0
181 129 022	20/06/2018	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - ATCO GAS AND PIPELINES LTD.

( CONTINUED )

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 ENCUMBRANCES, LIENS & INTERESTS

PAGE 3  
 # 131 154 672

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		909 11 AVE SW CALGARY ALBERTA T2R1L8
191 037 952	22/02/2019	CAVEAT RE : LEASE INTEREST CAVEATOR - ATCO GAS AND PIPELINES LTD. 909 - 11TH AVENUE CALGARY ALBERTA T2R1L8
191 202 181	03/10/2019	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 202 190	03/10/2019	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 202 192	03/10/2019	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 202 197	03/10/2019	CAVEAT RE : LEASE INTEREST UNDER 20 ACRES CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9. BOX 279, PINCHER CREEK ALBERTA TOK1W0 AGENT - BRIDGE LAND & ENERGY SERVICES LTD.
191 232 102	14/11/2019	CAVEAT RE : ACQUISITION OF LAND CAVEATOR - MUNICIPAL DISTRICT OF PINCHER CREEK. P.O. BOX 279 PINCHER CREEK ALBERTA TOK1W0

( CONTINUED )



ENCUMBRANCES, LIENS & INTERESTS

PAGE 4  
# 131 154 672

REGISTRATION  
NUMBER DATE (D/M/Y) PARTICULARS

191 232 107 14/11/2019 CAVEAT  
RE : ACQUISITION OF LAND  
CAVEATOR - THE MUNICIPAL DISTRICT OF PINCHER CREEK  
NO. 9.  
BOX 279, PINCHER CREEK  
ALBERTA T0K1W0

TOTAL INSTRUMENTS: 015

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 14 DAY OF JULY,  
2020 AT 09:53 A.M.

ORDER NUMBER: 39694852

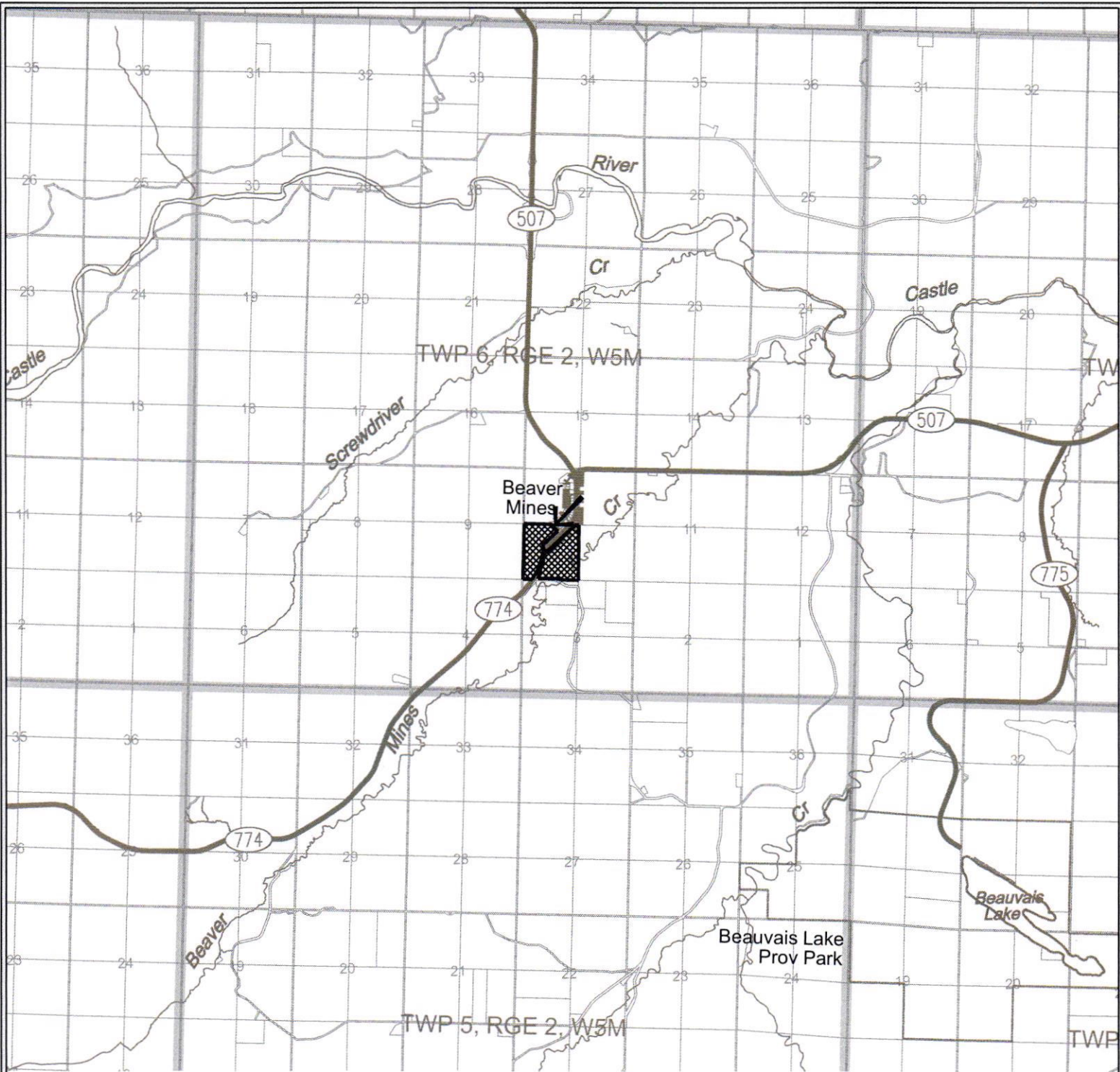
CUSTOMER FILE NUMBER: H05920



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

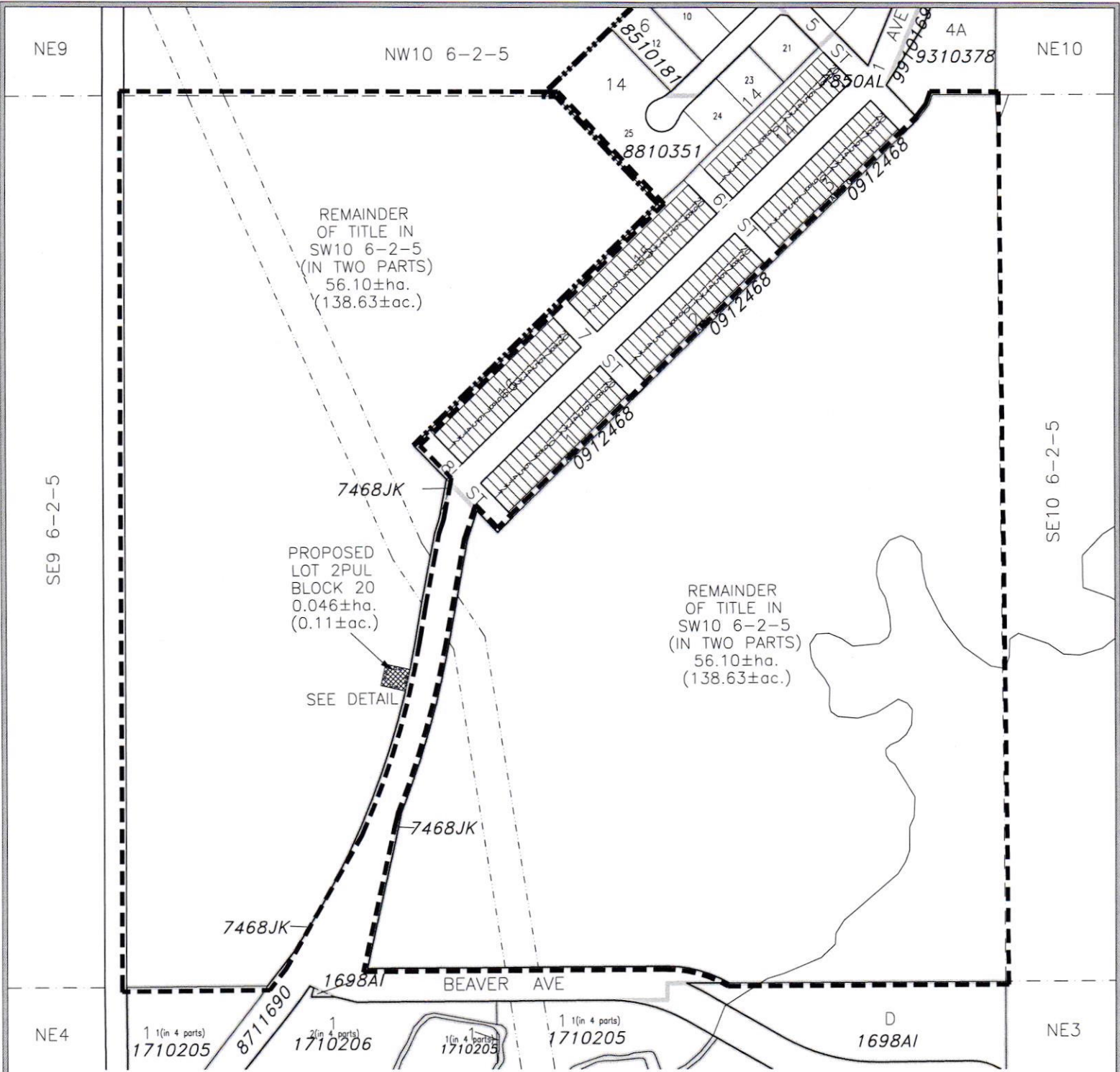


**SUBDIVISION LOCATION SKETCH**  
 WITHIN SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: JULY 22, 2020  
 FILE No: 2020-0-090

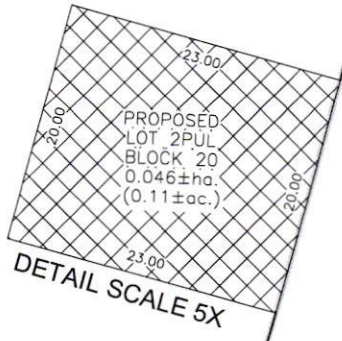
MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 FROM INFORMATION RECEIVED FROM THE LANDOWNERS. ALL TOWNERS  
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS







**SUBDIVISION SKETCH**  
**WITHIN SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: JULY 22, 2020**  
**FILE No: 2020-0-090**





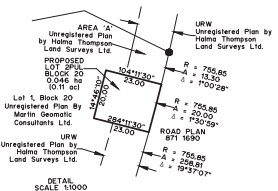
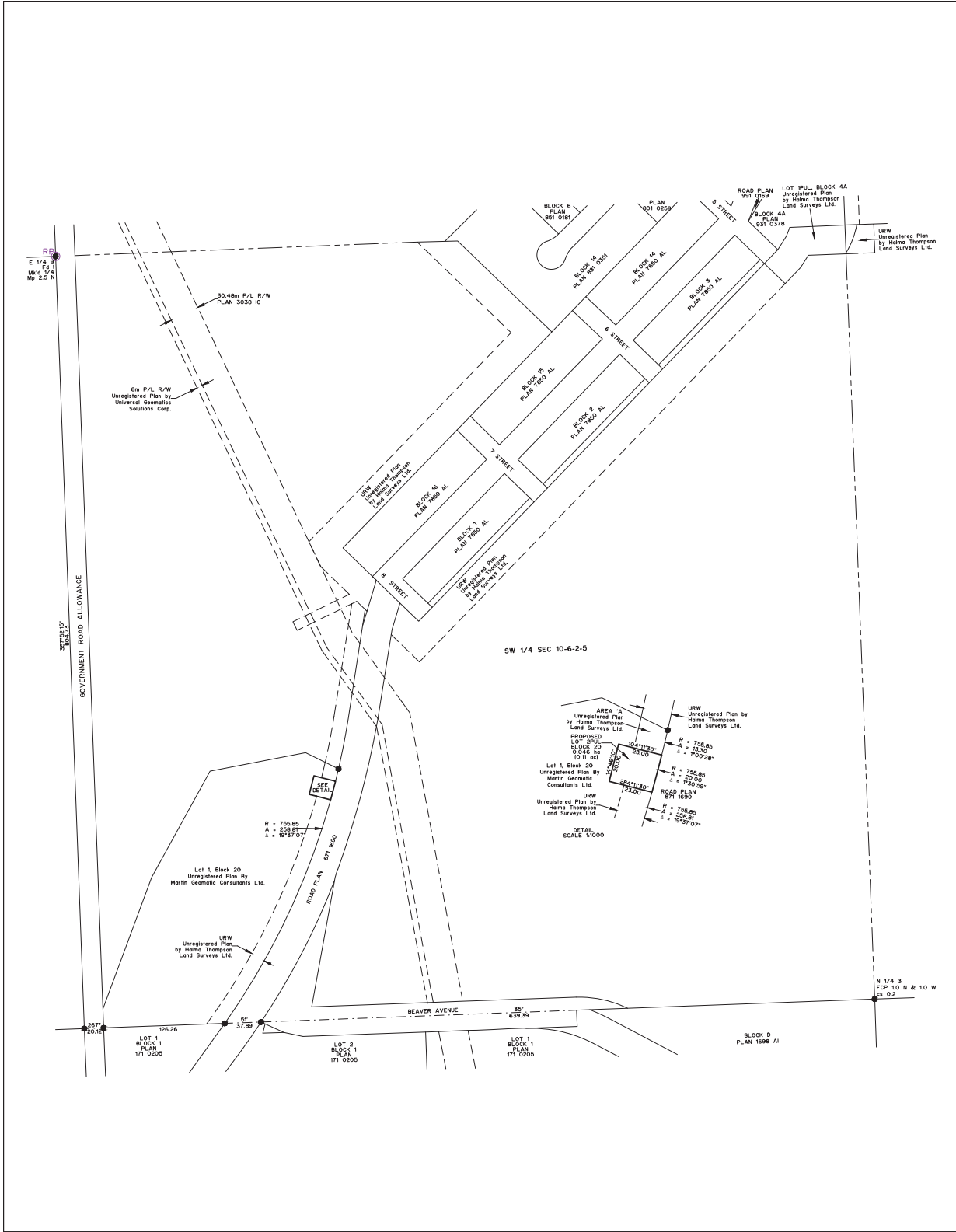


**SUBDIVISION SKETCH**  
 WITHIN SW 1/4 SEC 10, TWP 6, RGE 2, W 5 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: JULY 22, 2020  
 FILE No: 2020-0-090

AERIAL PHOTO DATE: 2015







**SUBDIVISION AUTHORITY**  
OLDMAN RIVER REGIONAL SERVICES COMMISSION

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**FILE:** \_\_\_\_\_ **SURVEYOR:** MICHAEL A. THOMPSON, ALS

---

**CLIENT:**  
MUNICIPAL DISTRICT OF PINCHER CREEK No. 9  
BOX 279  
PINCHER CREEK, AB  
T0K 2W0

---

**DESCRIPTION OF PROPERTY:**  
CIVIC ADDRESS:  
ATS DESCRIPTION: SW 1/4 SEC 10, TWP. 6, RSE 2, W 5th MER  
C of T 131 154 672  
REGISTERED OWNERS: LORNA MAUREN MCRAE

---

**ABBREVIATIONS:**

Δ	Central Angle of Curve	Mp	2 metre standard Alberta
◊	Diameter	SM	Survey Marker Post
A	Arc	MR	Municipal Reserve
ac	Acres	N.E.S.W	North, East, South, West
ASCM	Alberta Survey Control Marker	NAD	North American Datum
A/R	Access Road	PPP	Precise Point Positioning
C of T	Certificate of Title	PI	4 Pits
ckm	Check Measured	Pits	4 Road Pits
cs	Countermark	PI	Pit
CSRS	Canadian Spatial Reference System	P/L	Pipeline
FCP	Fence Corner Post	PUL	Public Utility Lot
Fd	Found	R	Radius
fo	Hectares	RI	Radial Bearing
I	Stutory Iron Post	R/W	Right of Way
i	Precise Point Positioning service	RSE	Range
km	Kilometre	Rest	Restored
LSO	Legal Subdivision	R/Est	Re-established
m	Metre	SEC	Section
M	Mound	TWP	Township
MER	Meridian	URW	Utility Right-of-Way
Mh	Mark	UTM	Universal Transverse Mercator

---

**LEGEND:**

- Alberta Survey Control Marker
- Stutory Iron post found
- Stutory Iron post placed, marked P254
- RP Georeferenced Point

Distances are ground and are in metres and decimals thereof, and are between survey monuments unless otherwise shown.  
Bearings are given UTM NAD83 CSRS (Epoch 2002), derived from GNSS observations, and are referred to the meridian through 107° West Longitude.  
Lands dealt with by this plan are bounded thus \_\_\_\_\_ and contain 0.046 ha.

---

**NOTES:**

- The georeferenced point is a found statutory iron post, UTM NAD83(CSRS) Epoch 2002 Coordinate: 5,482,218.15 N, 702,699.49 E.
- The georeferenced coordinate was calculated using Natural Resource Canada Precise Point Positioning service.
- A combined factor of 0.999903 was used to scale ground distances to the projected plane.
- Field survey was completed between the dates of March 16, 2020 and April 13, 2020.

---

THE EXISTENCE OR LOCATION OF ALL UTILITIES AS SHOWN OR OMITTED FROM THIS PLAN MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE LAND SURVEYOR. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR AS TO THE LOCATION OR ANY OMISSIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.

---

0	2020-07-13	ORIGINAL SUBMISSION	D.L.	M.T.					
ISSUE	DATE	REVISION	CAD.	CHK					

---

**MUNICIPAL DISTRICT OF PINCHER CREEK No.9**

**TENTATIVE PLAN**  
SHOWING PROPOSED SUBDIVISION OF  
PART OF  
LOT 1, BLOCK 20, PLAN \_\_\_\_\_  
(SW 1/4 SEC 10-6-2-5)

---

**HAMLET OF BEAVER MINES**  
**MUNICIPAL DISTRICT OF PINCHER CREEK No. 9**  
**ALBERTA**

**SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY**

---

SCALE 1:2000

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	200-410 Stirlund Drive S Lethbridge AB, T1J 2L2 Phone (403) 381-1520 Fax (403) 381-1544	JOB H05920 DRAWING H05020TS
--	--	--------------------------------

## DRAFT RESOLUTION

Our File: 2020-0-093

August 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,

**RE: SE1/4 11-6-2-W5M / M.D. of Pincher Creek No. 9**

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, ATCO Pipelines, AB Health Services - South Zone, AB Environment & Parks - J. Wu and AER.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Gavin Scott  
Senior Planner

GS/jm  
Attachment

# RESOLUTION

2020-0-093

**M.D. of Pincher Creek No. 9 Country Residential** subdivision of SE1/4 11-6-2-W5M

THAT the Country Residential subdivision of SE1/4 11-6-2-W5M (Certificate of Title No. 901 091 386), to create a 6.01 acre (2.43 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

## CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

## REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.11.

## INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS Communications Inc. has no objections to the above noted circulation.
- (e) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 191 082 093.  
Therefore, ATCO Gas has no objection to the proposed subdivision.
- (f) Alberta Transportation – Leah Olsen, Development/Planning Technologist:  
“Reference your file to create a country residential/farmstead parcel at the above noted location.

Alberta Transportation's primary objective is to allow subdivision and development of adjacent properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

The proposal is to create a single parcel of land from an unsubdivided quarter section to accommodate an existing residence and related improvements. As such, this application is in accordance with Section 14(b) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

As this application complies with said Section 14(b) and access to the proposed parcel and the remnant lands is to be by a means other than a highway, Section 15(3) of the regulation applies.

Notwithstanding the foregoing, the applicant would also be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the centre point of the intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

- (g) Canada Post has no comments at this time.

---

CHAIRMAN

---

DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** August 10, 2020

**Date of Receipt:**

July 20, 2020

**Date of Completeness:**

July 21, 2020

**TO: Landowner:** Douglas McClelland and Leona McClelland

**Agent or Surveyor:**

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, AER, Canada Post

**Adjacent Landowners:** Brent L & Gloria Jean Barbero, Eric Funk, Gary Lee & Mary Joanne Nilsson, Glen R Parker, Gregory James Parker, James Russell Parker, Jeffrey A. & Rebecca J Boese, Thomas R & Patricia Toney

**Planning Advisor:** Gavin Scott



The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 31, 2020**. (Please quote our File No. **2020-0-093** in any correspondence with this office).

**File No.:** 2020-0-093

**Legal Description:** SE1/4 11-6-2-W5M

**Municipality:** M.D. of Pincher Creek No. 9

**Land Designation:** Agriculture – A  
(Zoning)

**Existing Use:** Agricultural

**Proposed Use:** Country Residential

**# of Lots Created:** 1

**Certificate of Title:** 901 091 386

**Meeting Date:** September 1, 2020

*Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.*



**Planner's Preliminary Comments:**

The purpose of this application is to create a 6.01 acre (2.43 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

The proposal is to accommodate the subdivision of an existing dwelling and garage. Access to the lot is presently granted from an existing approach to the east, off of a developed municipal road allowance. The existing residence is serviced by a septic system and on-site domestic well.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.

**RESERVE:**

- Municipal Reserve is not applicable pursuant to Section 663(a) of the MGA, as it is the first parcel from the quarter section.

**PROCESSING NOTES:** No further comment pending a site inspection.

**Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.**



OLDMAN RIVER REGIONAL SERVICES COMMISSION

### APPLICATION FOR SUBDIVISION RURAL MUNICIPALITY

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1040.00	File No: 2020-0-093
APPLICATION SUBMISSION	
Date of Receipt: July 20, 2020	Received By: <i>[Signature]</i>
Date Deemed Complete: July 21, 2020	Accepted By: <i>[Signature]</i>

#### 1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Douglas and Leona McClelland  
Mailing Address: P.O. Box 2198 City/Town: Pincher Creek  
Postal Code: T0K1W0 Telephone: \_\_\_\_\_ Cell: 403-627-8922  
Email: dlmcc1@hotmail.com Preferred Method of Correspondence: Email  Mail   
Name of Agent (Person Authorized to act on behalf of Registered Owner): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/Town: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail   
Name of Surveyor: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/Town: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

#### 2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

a. All/part of the SE ¼ Section 11 Township 06 Range 02 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)  
b. Being all/part of: Lot/Unit \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_  
c. Total area of existing parcel of land (to be subdivided) is: \_\_\_\_\_ hectares 160 acres  
d. Total number of lots to be created: One Size of Lot(s): \_\_\_\_\_  
e. Rural Address (if applicable): 6102 R.R. 2-1 Hwy 507  
f. Certificate of Title No.(s): \_\_\_\_\_

#### 3. LOCATION OF LAND TO BE SUBDIVIDED

a. The land is located in the municipality of Pincher Creek  
b. Is the land situated immediately adjacent to the municipal boundary? Yes  No   
If "yes", the adjoining municipality is \_\_\_\_\_  
c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes  No   
If "yes" the highway is No. Hwy 507  
d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes  No   
If "yes", state its name \_\_\_\_\_  
e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown  Yes  No



**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land Agriculture - Rental Home
- b. Proposed use of the land Country Home

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) flat
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) Open - shrubs - tree stands
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) rocky loam
- d. Is this a vacant parcel (void of any buildings or structures)? no Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.  
Manufactured Home and detached garage
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

- a. Describe existing source of potable water Drilled Water Well
- b. Describe proposed source of potable water Drilled Water Well

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type Septic System Year Installed 2019
- b. Describe proposed sewage disposal: Type \_\_\_\_\_

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I Douglas / Leona McLelland hereby certify that  
 I am the registered owner  I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed: [Signature] [Signature] Date: July 2<sup>nd</sup> 2020

**9. RIGHT OF ENTRY**

I, Douglas / Leona McLelland do  do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Signature of Registered Owner(s) [Signature] [Signature]



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0013 300 181            5;2;6;11;SE                      901 091 386

LEGAL DESCRIPTION  
MERIDIAN 5 RANGE 2 TOWNSHIP 6  
SECTION 11  
QUARTER SOUTH EAST  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 74Z92

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
901 091 386	11/04/1990	TRANSFER OF LAND	\$80,000	\$80,000

OWNERS  
DOUGLAS MCCLELLAND  
  
AND  
LEONA MCCLELLAND  
BOTH OF:  
P.O. BOX 1192  
PINCHER CREEK  
ALBERTA T0K 1W0  
AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
061 410 213	04/10/2006	MORTGAGE MORTGAGEE - ALBERTA TREASURY BRANCHES. 769 MAIN ST PINCHER CREEK



ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 901 091 386

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS

ALBERTA TOK1W0  
ORIGINAL PRINCIPAL AMOUNT: \$310,000

191 082 093      01/05/2019      UTILITY RIGHT OF WAY  
GRANTEE - ATCO GAS AND PIPELINES LTD.

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 20 DAY OF JULY,  
2020 AT 03:42 P.M.

ORDER NUMBER:    39749093

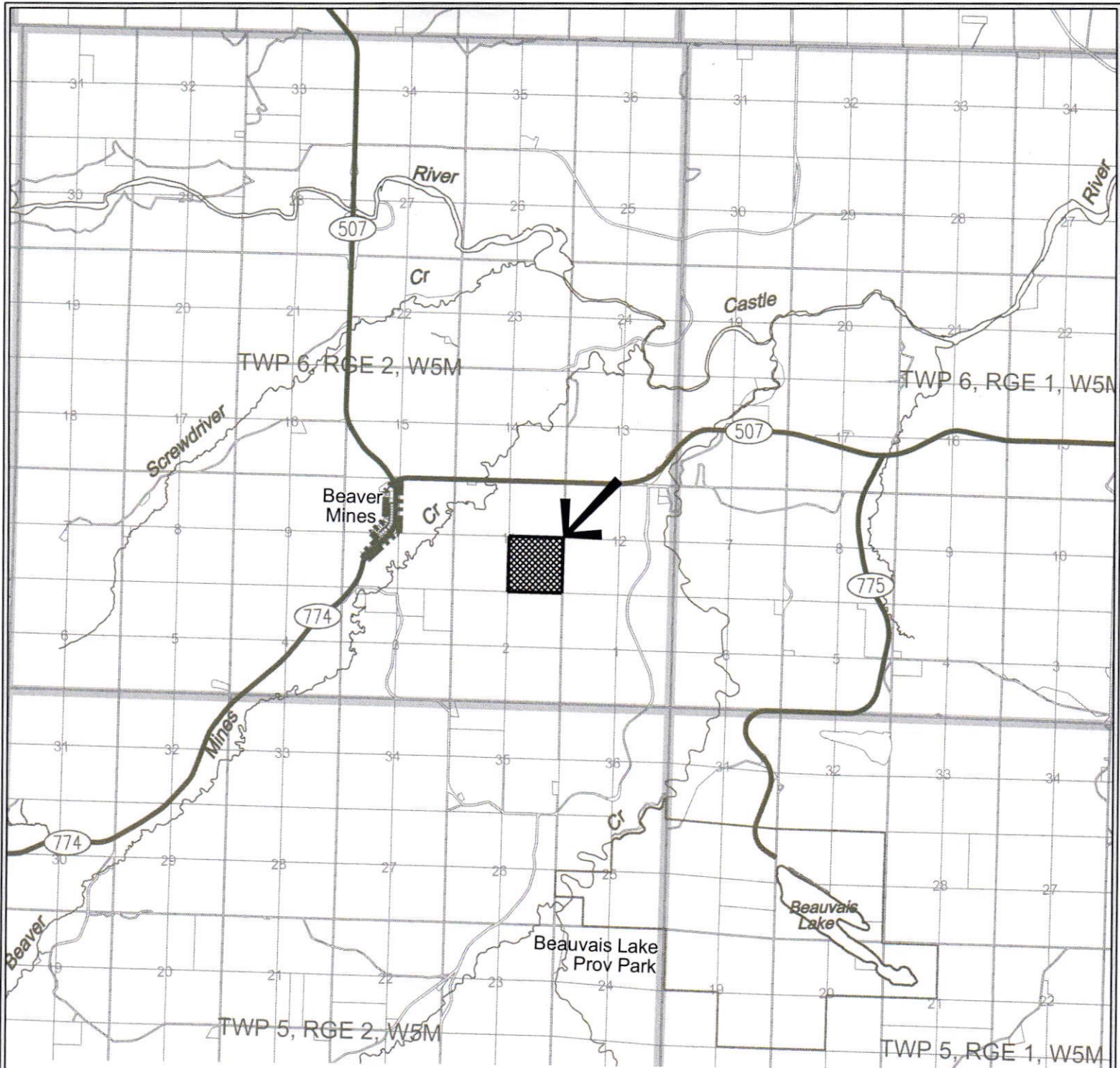
CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



**SUBDIVISION LOCATION SKETCH**  
**WITHIN SE 1/4 SEC 11, TWP 6, RGE 2, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: JULY 24, 2020**  
**FILE No: 2020-0-093**

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 2100 18th Avenue North, Lettingwood, AB T1Y 0B8  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



NW11

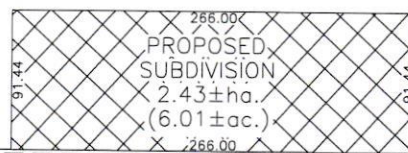
NE11 6-2-5

NW12

SW11 6-2-5

REMAINDER  
OF TITLE IN  
SE11 6-2-5  
62.32±ha.  
(153.99±ac.)

SW12 6-2-5



NW2

NE2 6-2-5

NW1

**SUBDIVISION SKETCH**  
**WITHIN SE 1/4 SEC 11, TWP 6, RGE 2, W 5 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: JULY 24, 2020**  
**FILE No: 2020-0-093**



0 Metres 100 200 300 400  
 July 25, 2020 N:\Subdivision\2020\2020-0-093.dwg





NW11

NE11 6-2-5

NW12

SW11 6-2-5

SW12 6-2-5

REMAINDER  
OF TITLE IN  
SE11 6-2-5  
62.32±ha.  
(153.99±ac.)

266.00  
91.44  
91.44  
266.00  
PROPOSED  
SUBDIVISION  
2.43±ha.  
(6.01±ac.)

NW2

NE2 6-2-5

NW1

### SUBDIVISION SKETCH

WITHIN SE 1/4 SEC 11, TWP 6, RGE 2, W 5 M

MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9

DATE: JULY 24, 2020

FILE No: 2020-0-093



0 100 200 300 400  
Metres  
July 25, 2020 N:\Subdivision\2020\2020-0-093.dwg



AERIAL PHOTO DATE: 2015



## DRAFT RESOLUTION

Our File: 2020-0-096

August 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,


**RE: SW1/4 10-7-29-W4M / M.D. of Pincher Creek No. 9**

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, Altogas Utilities Inc., AB Health Services - South Zone, AB Environment & Parks - J. Wu, Historical Resources Administrator and AER.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Gavin Scott  
Senior Planner

GS/jm  
Attachment

# RESOLUTION

2020-0-096

**M.D. of Pincher Creek No. 9 Country Residential** subdivision of SW1/4 10-7-29-W4M

THAT the Country Residential subdivision of SW1/4 10-7-29-W4M (Certificate of Title No. 131 096 510), to create a 9.52 acre (3.85 ha) parcel from a title of 127.11 acres (51.44 ha) for country residential use; BE APPROVED subject to the following:

## RESERVE:

The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 9.52 acres at the market value of \$3,000 per acre with the actual acreage and amount to be paid to the MD of Pincher Creek be determined at the final stage, for Municipal Reserve Purposes.

## CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

## REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.14.

## INFORMATIVE:

- (a) The payment of the applicable 10% Municipal Reserve on the 9.52 acres must be satisfied using Municipal District of Pincher Creek Policy 422. The MD assessor has provided a land value for the 9.52 acre (3.85 ha) being subdivided at \$3,000 per acre. Using the formula from Policy 422, the amount owing to satisfy Municipal Reserve is approximately \$2,856 with the actual amount to be determined at the finalization stage for Municipal Reserve purposes.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS Communications Inc. has no objections to the above noted circulation.

- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.

- (f) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a parcel for country residential use at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

Alberta Transportation’s primary objective is to allow subdivision and development of adjacent properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, currently and as proposed, the parcel to be created and the remnant land gain indirect access to the highway solely by way of the local road system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the country residential parcel as proposed would have any appreciable impact on the provincial highway network.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

The applicant would also be advised that any development within the highway right-of-way or within 300 metres beyond the limit of a controlled highway or within 800 metres from the center point of an intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403/382-4052, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

- (g) Canada Post has no comment.

---

CHAIRMAN

---

DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** July 29, 2020

**Date of Receipt:**

July 21, 2020

**Date of Completeness:**

July 22, 2020

**TO: Landowner:** Earl Higginbotham

**Agent or Surveyor:** David J. Amantea, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, Altagas Utilities Inc., AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, Historical Resources Administrator, AER, Canada Post

**Adjacent Landowners:** Joe John Jacobson, Martyn J Hill & Allison G C Brock, Matt Russell Domolewski & Tamra Lee Domolewski, Wendy Lynn Lindfield, Wendy Lynn Lindfield & Russell T Presby

**Planning Advisor:** Gavin Scott



The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 17, 2020**. (Please quote our File No. **2020-0-096** in any correspondence with this office).

**File No.:** 2020-0-096

**Legal Description:** SW1/4 10-7-29-W4M

**Municipality:** M.D. of Pincher Creek No. 9

**Land Designation:** Agriculture – A  
(Zoning)

**Existing Use:** Agricultural

**Proposed Use:** Country Residential

**# of Lots Created:** 1

**Certificate of Title:** 131 096 510

**Meeting Date:** September 1, 2020

*Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.*



**Planner's Preliminary Comments:**

The purpose of this application is to create a 9.52 acre (3.85 ha) parcel from a title of 127.11 acres (51.44 ha) for country residential use.

The proposal is to accommodate the subdivision of an existing dwelling, shop, and number of other out-buildings. Access to the lot is presently granted from an existing approach to the west, off of a developed municipal road allowance. The existing residence is serviced by a septic system and water cistern.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.

**RESERVE:**

- The payment of the applicable 10% Municipal Reserve on the 9.52 acres with the actual amount to be determined at the final stage for Municipal Reserve purposes.

**PROCESSING NOTES:** No further comment pending a site inspection.

**Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.**



**APPLICATION FOR SUBDIVISION  
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: <u>\$1040.00</u>	File No: <u>2020-0-096</u>
APPLICATION SUBMISSION	
Date of Receipt: <u>July 21, 2020</u>	Received By: <u>[Signature]</u>
Date Deemed Complete: <u>July 22, 2020</u>	Accepted By: <u>[Signature]</u>

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Earl Higginbotham

Mailing Address: Box 1227 City/Town: Pincher Creek

Postal Code: TOK 1W0 Telephone: 403 627 4092 Cell: 403-627-7373

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/Town: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

Name of Surveyor: David J. Amantea, ALS, P.Eng brown okamura & associates ltd.

Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 129 Cell: \_\_\_\_\_

Email: david@bokamura.com Preferred Method of Correspondence: Email  Mail

**2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED**

a. All/part of the SW ¼ Section 10 Township 7 Range 25<sup>29</sup> West of 4 Meridian (e.g. SE¼ 36-1-36-W4M)

b. Being all/part of: Lot/Unit \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

c. Total area of existing parcel of land (to be subdivided) is: 51.461 hectares 127.16 acres

d. Total number of lots to be created: 1 Size of Lot(s): 3.85 ha (9.52 ac)

e. Rural Address (if applicable): \_\_\_\_\_

f. Certificate of Title No.(s): 131 096 510

**3. LOCATION OF LAND TO BE SUBDIVIDED**

a. The land is located in the municipality of MD of Pincher Creek

b. Is the land situated immediately adjacent to the municipal boundary? Yes  No   
If "yes", the adjoining municipality is \_\_\_\_\_

c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes  No   
If "yes" the highway is No. 3

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes  No   
If "yes", state its name \_\_\_\_\_

e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown  Yes  No

**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land Yard
- b. Proposed use of the land Subdivision of Yard

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
Grass
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) Unknown
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

- a. Describe existing source of potable water Cistern
- b. Describe proposed source of potable water \_\_\_\_\_

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type Septic Year Installed ?
- b. Describe proposed sewage disposal: Type No Change

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I, David J. Amantea, ALS, P.Eng (boa file: 20-14941) hereby certify that

- I am the registered owner
- I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed:  Date: July 17, 2020

**9. RIGHT OF ENTRY**

I, \_\_\_\_\_ do  / do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

\_\_\_\_\_  
Signature of Registered Owner(s)

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.



**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land Yard
- b. Proposed use of the land Subdivision of Yard

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Rolling
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)  
Grass
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) Unknown
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.  
\_\_\_\_\_
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

- a. Describe existing source of potable water Cistern
- b. Describe proposed source of potable water \_\_\_\_\_

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type Septic Year Installed ?
- b. Describe proposed sewage disposal: Type No Change

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I, David J. Amantea, ALS, P.Eng (boa file: 20-14941) hereby certify that

- I am the registered owner
- I am authorized to act on behalf of the register owner

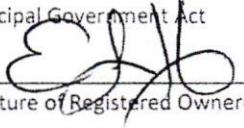
and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed:  Date: July 17, 2020

**9. RIGHT OF ENTRY**

I, Earl Higginbotham do  do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act

Signature of Registered Owner(s)

 July 21, 2020

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0019 345 223            4;29;7;10;SW            131 096 510

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 29 TOWNSHIP 7  
SECTION 10  
THAT PORTION OF THE SOUTH WEST QUARTER  
WHICH LIES SOUTH EAST OF ROAD PLAN 1529 BM  
CONTAINING 64.6 HECTARES (159.56 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES
CUT-OFF	3682 EZ	5.64	13.93
ROAD	5009 JK	6.01	14.84
ROAD	5010 JK	0.372	0.92
ROAD	8710791	1.117	2.76

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 121 219 990

---

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
131 096 510	29/04/2013	TRANSFER OF LAND		SEE INSTRUMENT

---

OWNERS

EARL HIGGINBOTHAM  
OF PO BOX 1227  
PINCHER CREEK  
ALBERTA T0K 1W0

---

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
791 072 967	11/05/1979	UTILITY RIGHT OF WAY

---

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

# 131 096 510

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

GRANTEE - ALBERTA GOVERNMENT TELEPHONES.  
"PORTIONS DESCRIBED IN INSTRUMENT"

111 240 016 20/09/2011 UTILITY RIGHT OF WAY  
GRANTEE - ALTALINK MANAGEMENT LTD.

131 328 535 21/12/2013 UTILITY RIGHT OF WAY  
GRANTEE - ALTAGAS UTILITIES INC.

141 023 443 24/01/2014 UTILITY RIGHT OF WAY  
GRANTEE - ALTAGAS UTILITIES INC.

181 063 636 22/03/2018 DISCHARGE OF UTILITY RIGHT OF WAY 111240016  
PARTIAL  
EXCEPT PLAN/PORTION: 1510585

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 7 DAY OF JULY,  
2020 AT 11:00 A.M.

ORDER NUMBER: 39648730

CUSTOMER FILE NUMBER:

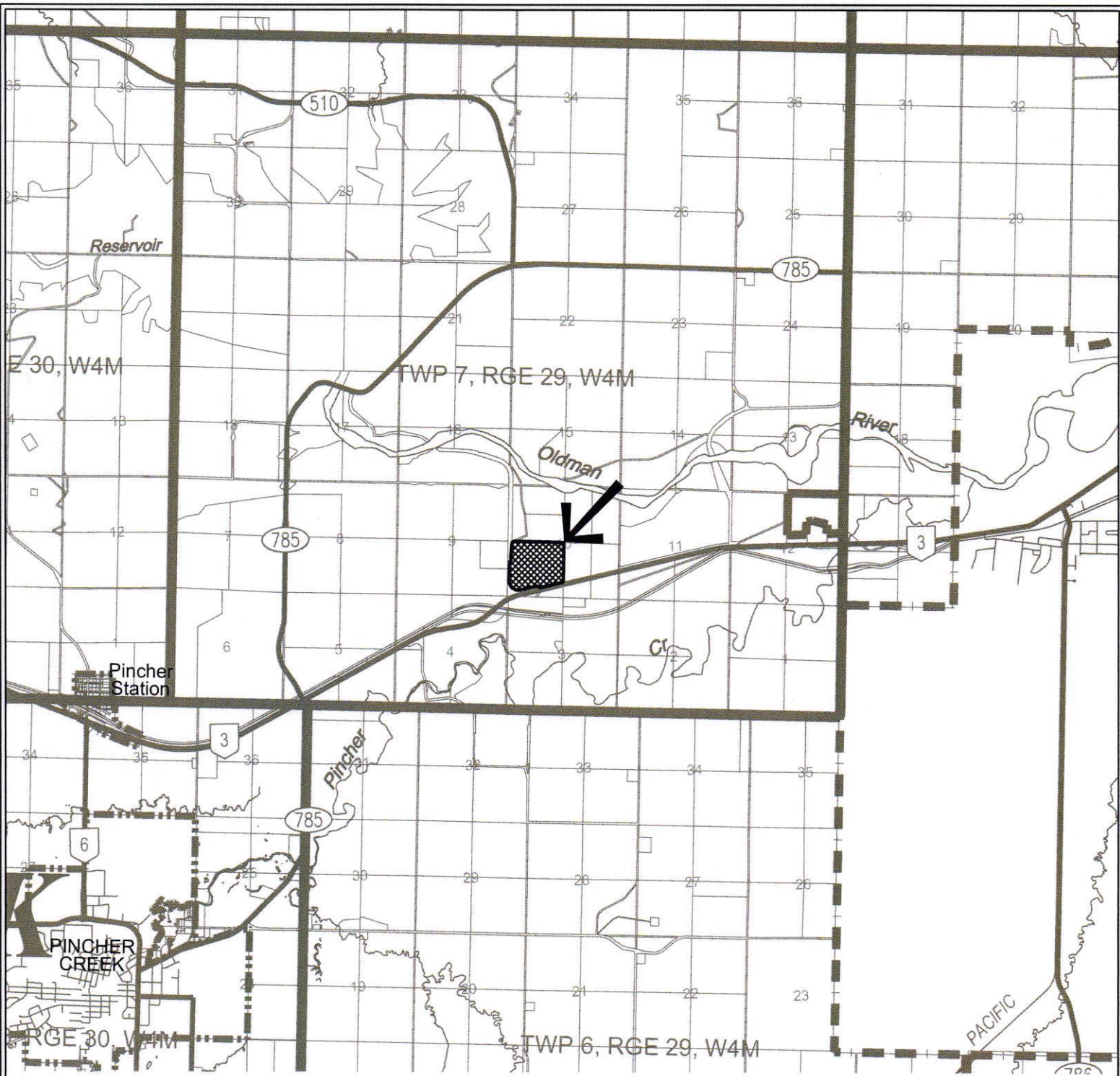


\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

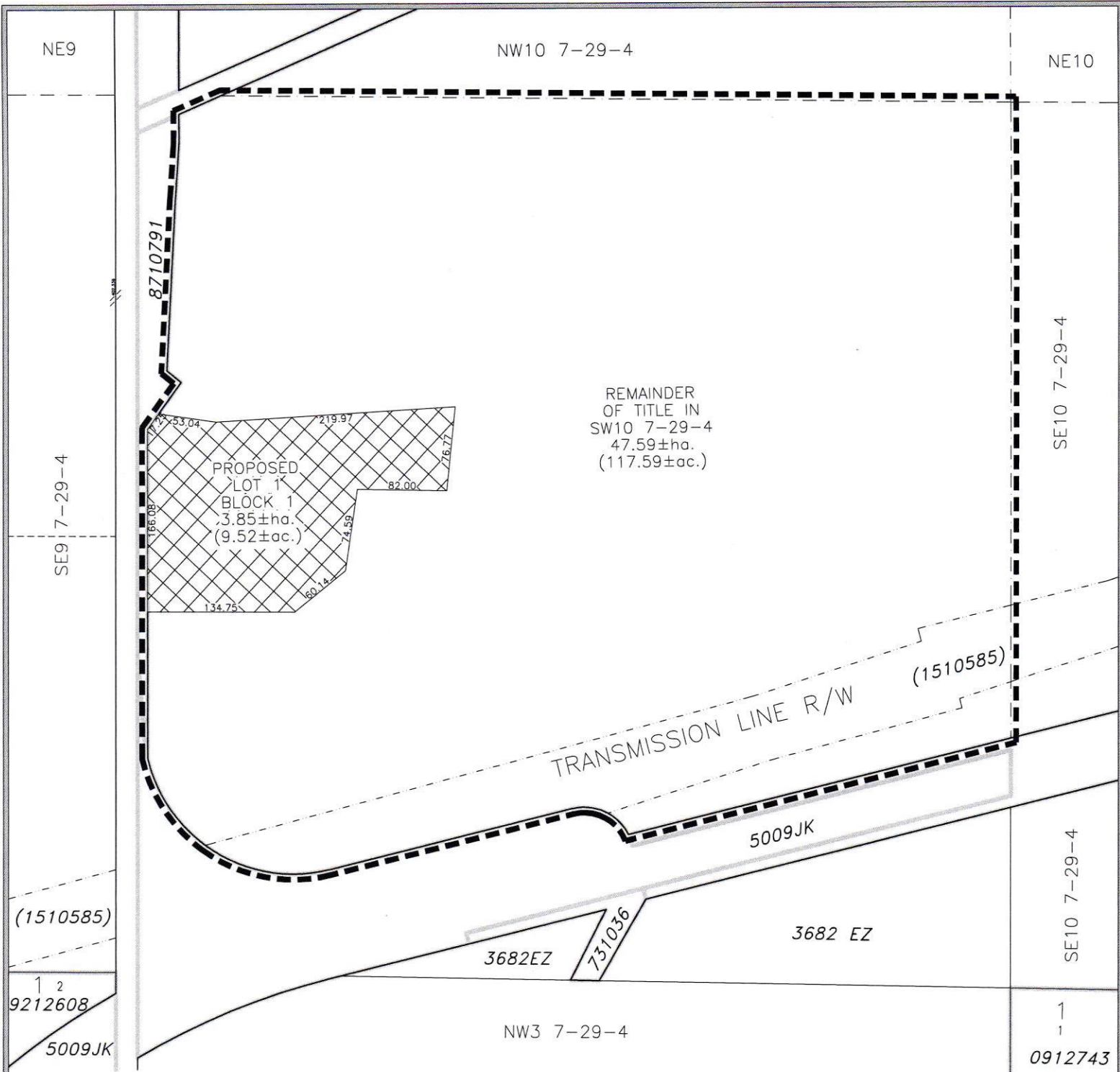




**SUBDIVISION LOCATION SKETCH**  
 SW 1/4 SEC 10, TWP 7, RGE 29, W 4 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: JULY 24, 2020  
 FILE No: 2020-0-096

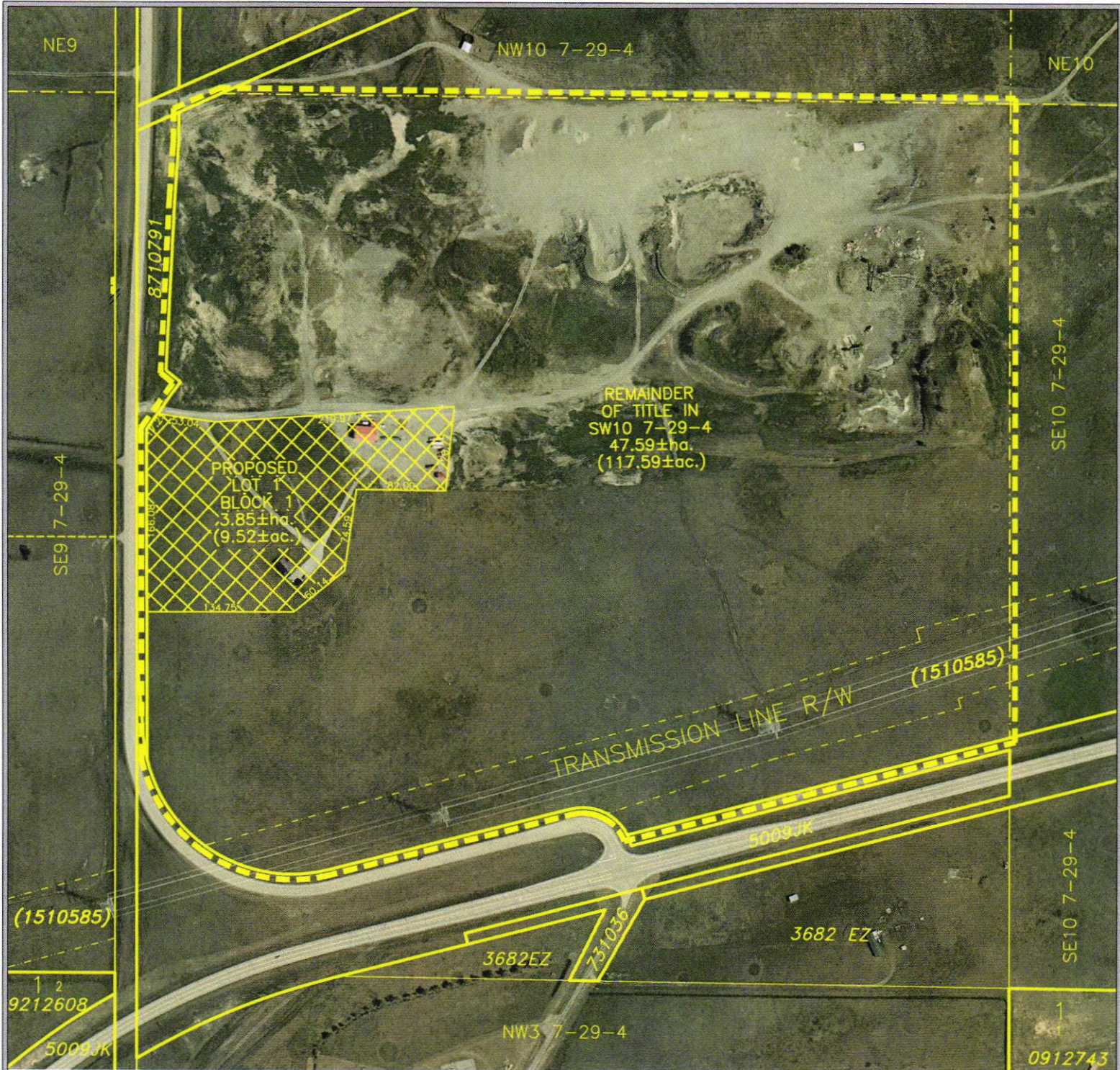
MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 THIS IS AN AVAILABILITY LETTERING. AS THE USER  
 IS NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





**SUBDIVISION SKETCH**  
 SW 1/4 SEC 10, TWP 7, RGE 29, W 4 M  
 MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9  
 DATE: JULY 24, 2020  
 FILE No: 2020-0-096





**SUBDIVISION SKETCH**

**SW 1/4 SEC 10, TWP 7, RGE 29, W 4 M**

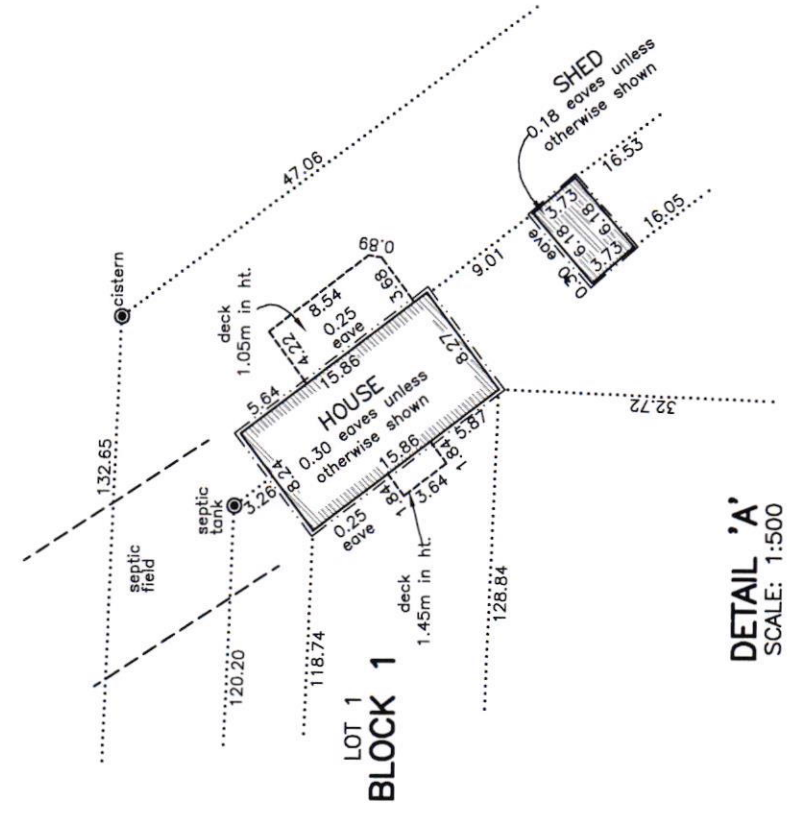
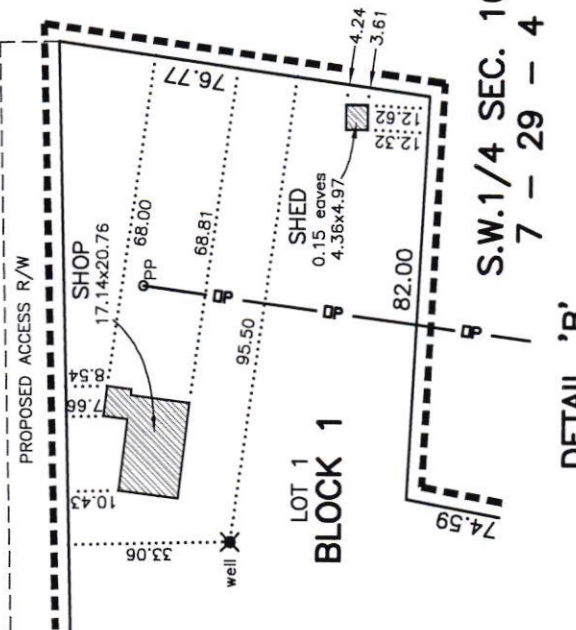
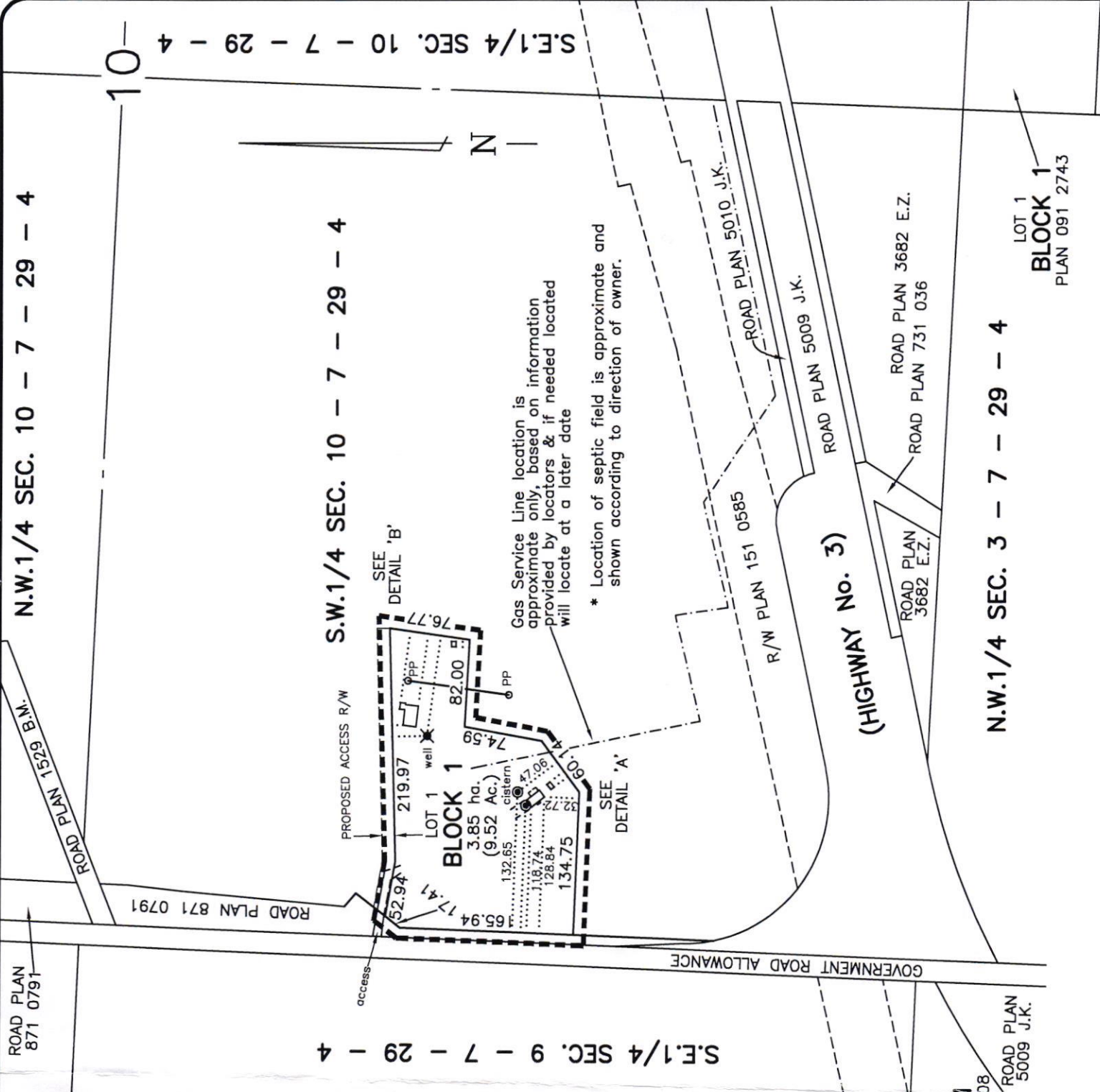
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**

**DATE: JULY 24, 2020**

**FILE No: 2020-0-096**







Gas Service Line location is approximate only, based on information provided by locators & if needed located will locate at a later date

\* Location of septic field is approximate and shown according to direction of owner.

NO.	REVISION	DATE	BY

Improvements shown were surveyed on July 10th, 2020  
 NOTE : Portion to be approved is outlined thus **-----**  
 and contains approximately 3.85 ha.  
 Distances are in metres and decimal parts thereof.  
 Overhead line is shown thus **—DP—DP—DP—**  
 PP stands for utility pole.  
 Distances and areas are approximate and are subject to change upon final survey.

**EARL HIGGINBOTHAM**  
 TENTATIVE PLAN SHOWING SUBDIVISION  
 of part of  
 S.W.1/4 SEC. 10; TWP. 7; RGE. 29; W.4 M.  
 MUNICIPAL DISTRICT OF PINCHER CREEK No. 9

**b o o** brown okamura & associates ltd.  
 Professional Surveyors  
 2630 - 12th Avenue North, Lethbridge, Alberta

APPROVED  
 D. J. Amantea, A.L.S.

DRAWN CJB  
 CHECKED DJA  
 SCALE 1:5000

DATE JULY 16/20  
 JOB 20-14941  
 DRAWING 20-14941T

## DRAFT RESOLUTION

Our File: 2020-0-099

August 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,

**RE: S1/2 29-9-2-W5M / M.D. of Pincher Creek No. 9**

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision Authority should note that comments have not been received from the Livingstone Range School Division, AltaLink, FortisAlberta, AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Environment & Parks - M. Taje, AB Environment Operations Infrastructure Branch (OIB), AB Water Boundaries, Historical Resources Administrator, AER and Tamarack Acquisition.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Gavin Scott  
Senior Planner

GS/jm  
Attachment



# RESOLUTION

2020-0-099

## **M.D. of Pincher Creek No. 9 Country Residential** subdivision of S1/2 29-9-2-W5M

THAT the Country Residential subdivision of S1/2 29-9-2-W5M (Certificate of Title No. 021 054 908), to create a 7.54 acre (3.052 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use; BE APPROVED subject to the following:

### **CONDITIONS:**

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

### **REASONS:**

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.11.

### **INFORMATIVE:**

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS Communications Inc. has no objections to the above noted circulation.
- (e) Canada Post has no comment.
- (f) Chief Mountain Gas Co-op Ltd. – Delbert G. Beazer, Chief Executive Officer:

“Please note, we have no objections to the proposed subdivisions, as long as our Utility-Right-Way remains on title. Also, that any relocating of lines requested by the owner because of this subdivision will be at the owners cost. All contracts for gas service will be supplied as needed and at owners cost. If this subdivision splits a gas contract that serves two homes a new contract will have to be purchased by the owner.

Being that the application is in a remote area, natural gas service may be unavailable. Developer should discuss gas needs and plans for implementation before lots are sold. We would rather deal with the developer than individual lot owners for capital expense and planning.

As a condition of subdivision, we request that a Service Agreement be signed by the Applicant prior to subdivision finalization.”

(g) Adjacent Landowner – Kate Tavernier-Lafferty & Tim Lafferty:

“We have no issue or concern with this subdivision.

We appreciate being contacted about this rezoning question and are pleased to hear that Antelope Butte Ranch now owns that quarter section.”

---

CHAIRMAN

---

DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** August 11, 2020

**Date of Receipt:**

August 10, 2020

**Date of Completeness:**

August 10, 2020

**TO: Landowner:** 847155 Alberta Ltd.

**Agent:** Antelope Butte Ranch Ltd.

**Surveyor:** Zachary J. Prosper, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, Chief Mountain Gas Co-op Ltd., AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Environment & Parks - M. Taje, AB Environment Operations Infrastructure Branch (OIB), AB Water Boundaries, Historical Resources Administrator, AER, Canada Post, Tamarack Acquisition

**Adjacent Landowners:** Antelope Butte Ranch, Ralph Lloyd & Rae E Cervo, John T Clarke, Leroy J Field, Timothy Lafferty & Kathleen Tavernier, Richard Neville, Robert & Lillian Peake

**Planning Advisor:** Gavin Scott



The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 31, 2020**. (Please quote our File No. **2020-0-099** in any correspondence with this office).

**File No.:** 2020-0-099

**Legal Description:** S1/2 29-9-2-W5M

**Municipality:** M.D. of Pincher Creek No. 9

**Land Designation:** Agriculture – A  
(Zoning)

**Existing Use:** Agricultural

**Proposed Use:** Country Residential

**# of Lots Created:** 1

**Certificate of Title:** 021 054 908



**Meeting Date:** September 1, 2020

*Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.*

**Planner's Preliminary Comments:**

The purpose of this application is to create a 7.54 acre (3.052 ha) parcel from a previously unsubdivided quarter section of 160 acres (64.7 ha) for country residential use.

The proposal is to accommodate the subdivision of an existing farmyard, which presently contains a dwelling, garage, barn, and number of other out-buildings. Access to the lot is presently granted from an existing approach to the west, off of a developed municipal road allowance. The existing residence is serviced by a septic system and on-site domestic well.

Todd Creek, a tributary to the Oldman River, bisects the proposed parcel west to east.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.

**RESERVE:**

- Municipal Reserve is not applicable pursuant to Section 663(a) of the MGA, as it is the first parcel from the quarter section.

**PROCESSING NOTES:** No further comment pending a site inspection.

**Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.**



**APPLICATION FOR SUBDIVISION  
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: \$1040.00	File No: 2020 0-099
APPLICATION SUBMISSION	
Date of Receipt: August 10 2020	Received By: [Signature]
Date Deemed Complete: Aug 10/20	Accepted By: [Signature]

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: 847155 Alberta Ltd.

Mailing Address: Box 280 City/Town: Lundbreck

Postal Code: T0K1H0 Telephone: 403-628-2892 Cell: \_\_\_\_\_

Email: rob.nichols.wur@gmail.com Preferred Method of Correspondence: Email  Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): Antelope Butte Ranch Ltd. (Jim Lynch-Staunton)

Mailing Address: Box 10 City/Town: Lundbreck

Postal Code: T0K 1H0 Telephone: 403-628-2020 Cell: 403-627-6770

Email: jim@jrtwave.com Preferred Method of Correspondence: Email  Mail

Name of Surveyor: Zachary J. Prosper, ALS brown okamura & associates ltd.

Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 132 Cell: \_\_\_\_\_

Email: zach@bokamura.com Preferred Method of Correspondence: Email  Mail

**2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED**

a. All/part of the <sup>SWSE</sup> ¼ Section 29 Township 9 Range 2 West of 5 Meridian (e.g. SE¼ 36-1-36-W4M)

b. Being all/part of: Lot/Unit \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

c. Total area of existing parcel of land (to be subdivided) is: 127.01 (in S.1/2) hectares 313.84 (in S.1/2) acres

d. Total number of lots to be created: 1 Size of Lot(s): 3.05 hectares (7.54 Acres)

e. Rural Address (if applicable): \_\_\_\_\_

f. Certificate of Title No.(s): 021 054 908

**3. LOCATION OF LAND TO BE SUBDIVIDED**

a. The land is located in the municipality of Municipal District of Pincher Creek No. 9

b. Is the land situated immediately adjacent to the municipal boundary? Yes  No   
If "yes", the adjoining municipality is \_\_\_\_\_

c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes  No   
If "yes" the highway is No. \_\_\_\_\_

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes  No   
If "yes", state its name Todd Creek

e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown  Yes  No



**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land Acreage
- b. Proposed use of the land Acreage

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) rolling
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) grass, creek
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) unknown
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved. See Tentative Plan
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

- a. Describe existing source of potable water artesian spring
- b. Describe proposed source of potable water same

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type Septic Tank & Field Year Installed 15 years
- b. Describe proposed sewage disposal: Type Septic Tank & Field

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I, Rob Nichols hereby certify that

- I am the registered owner
- I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed: [Signature] Date: August 6, 2020

**9. RIGHT OF ENTRY**

I, Rob Nichols do  / do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

[Signature] please contact me first  
Signature of Registered Owner(s)





LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0028 720 365	5;2;9;29;NW	021 054 908
	0020 314 936	5;2;9;29;NE	
	0020 314 944	5;2;9;29;SW	
	0020 314 952	5;2;9;29;SE	

LEGAL DESCRIPTION

FIRST

MERIDIAN 5 RANGE 2 TOWNSHIP 9  
SECTION 29  
QUARTER NORTH WEST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES) MORE OR LESS
ROAD	2476JK	2.78	6.87

EXCEPTING THEREOUT ALL MINES AND MINERALS

SECOND

MERIDIAN 5 RANGE 2 TOWNSHIP 9  
SECTION 29  
QUARTER NORTH EAST  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS

THIRD

MERIDIAN 5 RANGE 2 TOWNSHIP 9  
SECTION 29  
QUARTER SOUTH WEST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES MORE OR LESS
ROADWAY	2476JK	2.34	5.78
CUT-OFF	2476JK	0.008	0.02

EXCEPTING THEREOUT ALL MINES AND MINERALS

FOURTH

MERIDIAN 5 RANGE 2 TOWNSHIP 9  
SECTION 29  
QUARTER SOUTH EAST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

( CONTINUED )



PLAN	NUMBER	HECTARES	ACRES MORE OR LESS
ROADWAY	2476JK	0.101	0.25
ROADWAY	8111730	0.036	0.79

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 011 020 856

---

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
021 054 908	14/02/2002	TRANSFER OF LAND		SEE INSTRUMENT

OWNERS

847155 ALBERTA LTD.  
OF P.O. BOX 280  
LUNDBRECK  
ALBERTA T0K 1H0

---

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
791 003 505	09/01/1979	UTILITY RIGHT OF WAY GRANTEE - CHIEF MOUNTAIN GAS CO-OP LTD. BOX 38 CARDSTON ALBERTA T0K0K0 AFFECTED LAND:           5;2;9;29;NW 5;2;9;29;SE 5;2;9;29;SW (DATA UPDATED BY: CHANGE OF NAME 951153971) (DATA UPDATED BY: CHANGE OF NAME 021088483)
911 247 000	31/10/1991	CAVEAT RE : SEE CAVEAT CAVEATOR - HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA AS REPRESENTED BY MINISTER OF FORESTRY, LANDS AND WILDLIFE C/O DEPT. OF FORESTRY, LANDS AND WILDLIFE 10 FLR, 9915-108 ST SOUTH PETROLEUM PLAZA EDMONTON ALBERTA T5K2C9

( CONTINUED )



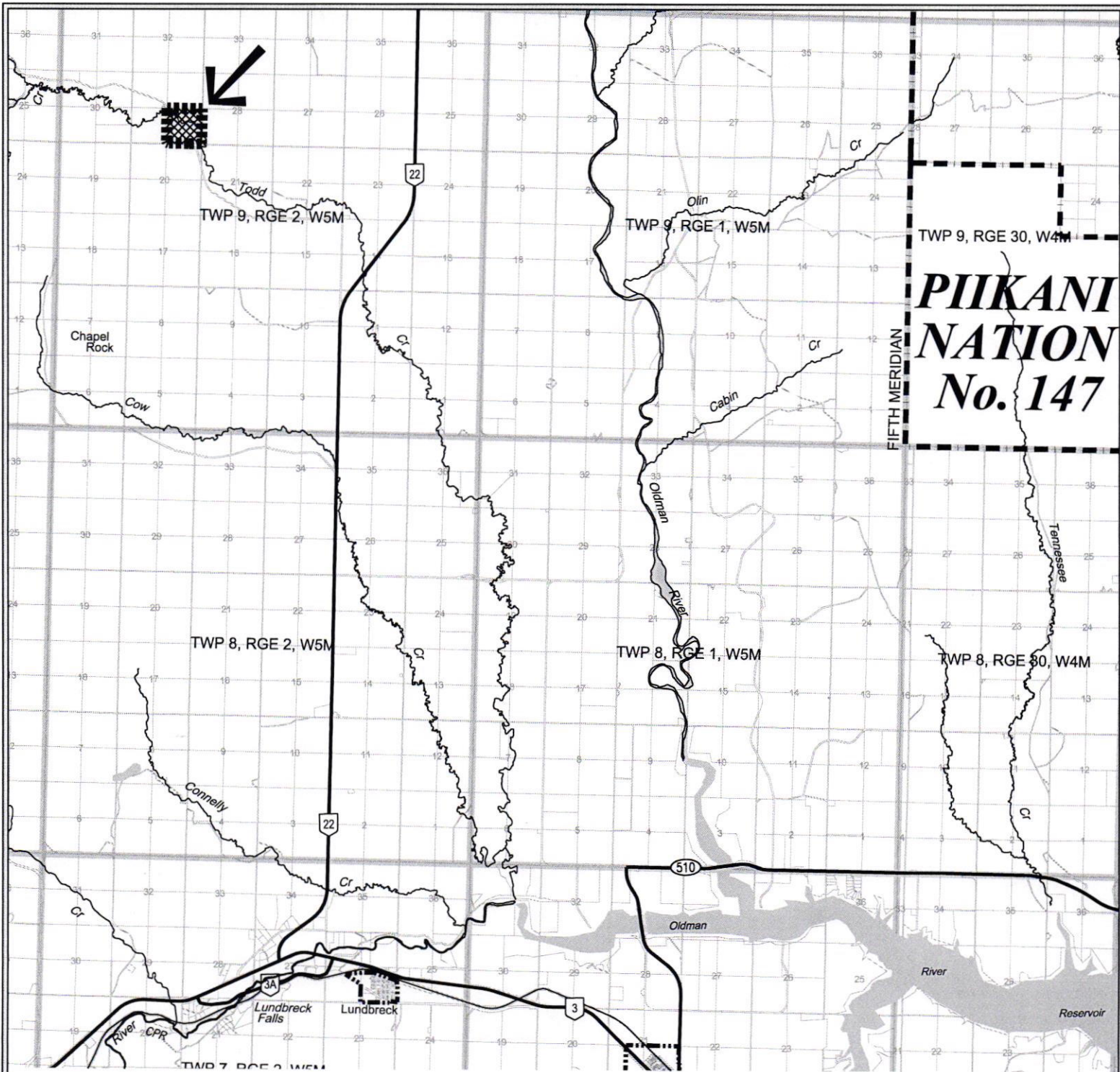




THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

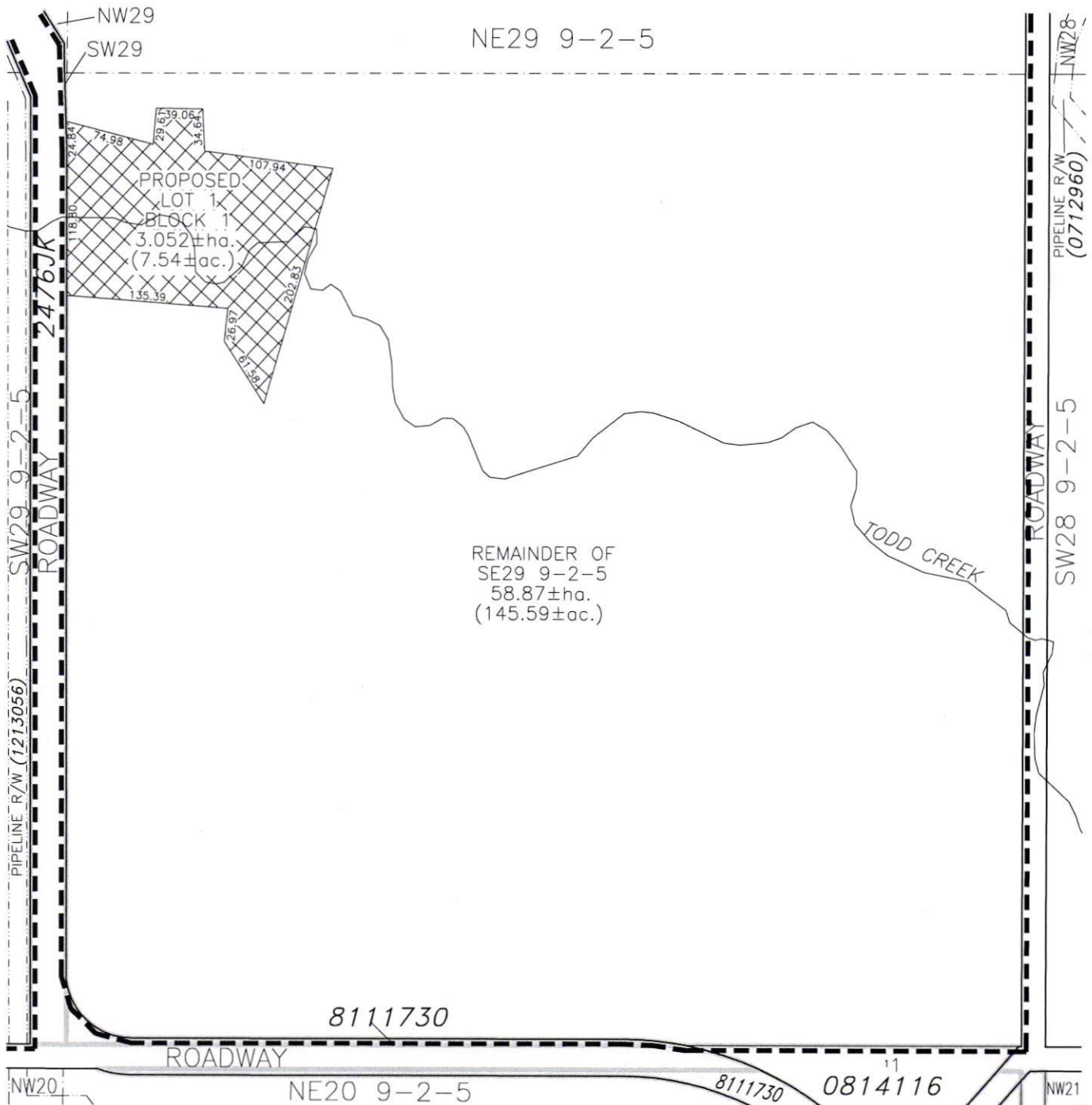
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).





**SUBDIVISION LOCATION SKETCH**  
**S. 1/2 SEC 29, TWP 9, RGE 2, W 4 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: AUGUST 10, 2020**  
**FILE No: 2020-0-099**

MAP PREPARED BY  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 19th AVENUE NORTH, LETSBURGE, AB T1M 0S9  
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



### SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-14956T

S. 1/2 SEC 29, TWP 9, RGE 2, W 5 M

MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9

DATE: AUGUST 10, 2020

FILE No: 2020-0-099







## SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-14956T

S. 1/2 SEC 29, TWP 9, RGE 2, W 5 M

MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9

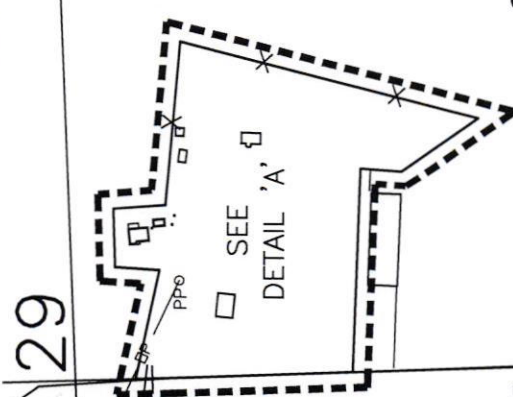
DATE: AUGUST 10, 2020

FILE No: 2020-0-099





N.E.1/4 SEC. 29 - 9 - 2 - 5



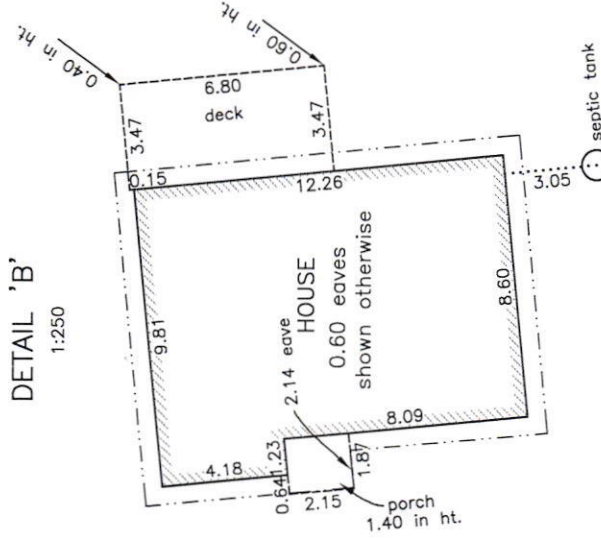
\*Location of Septic Field is approximate and shown according to direction of owner

\*Portion of proposed subdivision contains land within Todd Creek, all lands within Todd Creek are owned by the Crown in right of Alberta.

S.E.1/4 SEC. 29 - 9 - 2 - 5

DETAIL 'B'  
1:250

DETAIL 'C'  
1:250



S.W.1/4 SEC. 28 - 9 - 2 - 5

GOVERNMENT ROAD ALLOWANCE

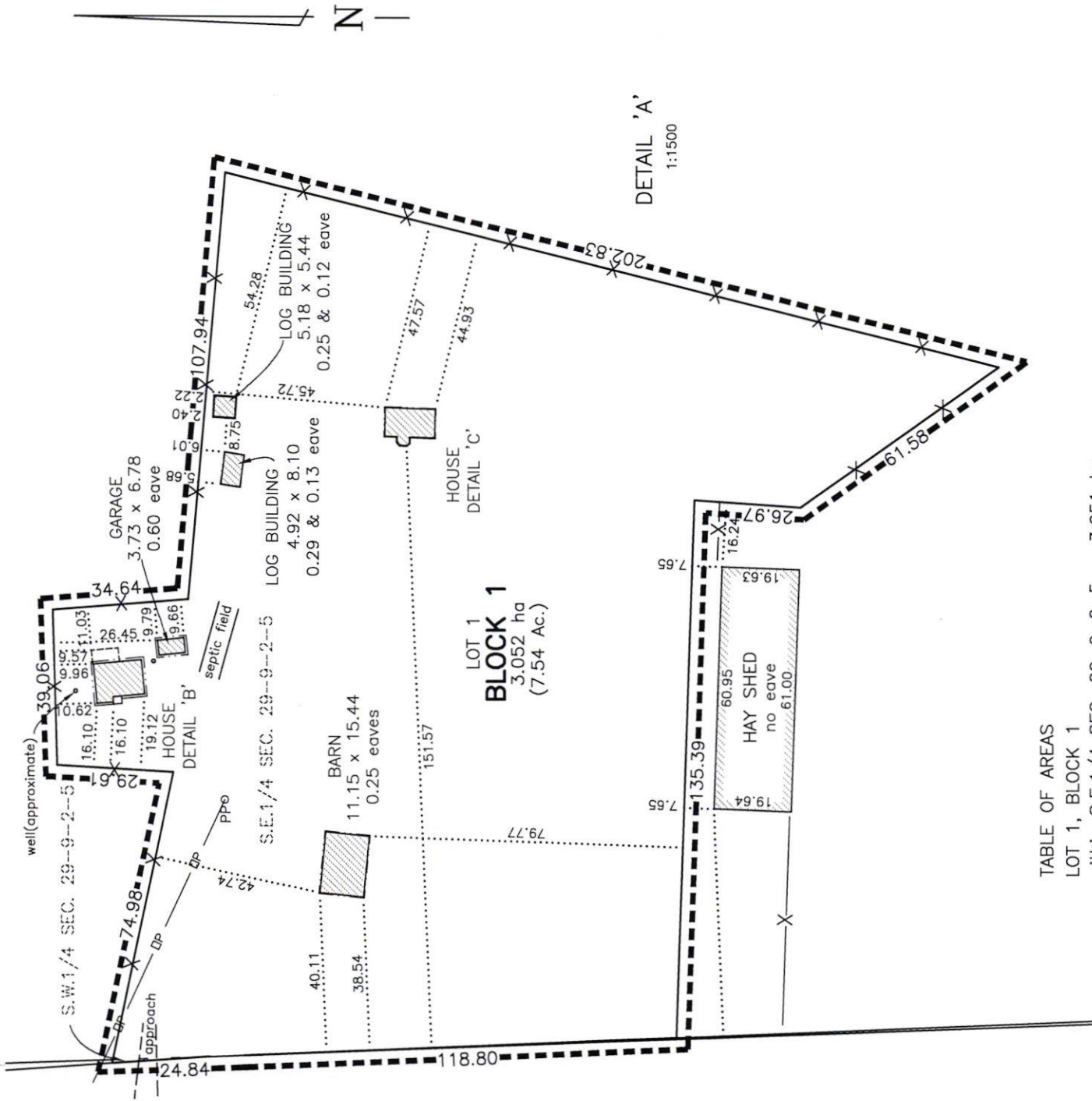
GOVERNMENT ROAD ALLOWANCE

ROAD PLAN 811 1730

N.E.1/4 SEC. 20 - 9 - 2 - 5

S.W.1/4 SEC. 29 - 9 - 2 - 5

ROAD PLAN 2476 J.K.



DETAIL 'A'  
1:1500

LOT 1  
BLOCK 1  
3.052 ha  
(7.54 Ac.)

TABLE OF AREAS  
LOT 1, BLOCK 1  
within S.E.1/4 SEC. 29-9-2-5 = 3.051 ha  
within S.W.1/4 SEC. 29-9-2-5 = 0.001 ha  
TOTAL = 3.052 ha

ANTELOPE BUTTE RANCH LTD.

TENTATIVE PLAN SHOWING SUBDIVISION  
of part of  
S.1/2 SEC. 29, TWP. 9, RGE. 2, W.5 M.

M.D. of Pincher Creek No. 9



brown okamura & associates ltd.

Professional Surveyors  
2830 - 12 Avenue North, Lethbridge, Alberta

APPROVED

DRAWN MJ

CHECKED ZJP

SCALE

DATE AUG 6/20

JOB 20-14956

DRAWING

1:5000

Z.J. Prosper, A.L.S.

NOTE : Portion to be approved is outlined thus **-----** and contains approximately 3.052 ha.  
Distances are in metres and decimal parts thereof.  
Fence lines shown thus **X**  
Overhead Powerline shown thus **DP**  
PP stands for Utility Pole  
Distances and areas are approximate and are subject to change upon final survey.  
Improvements shown were surveyed on July 23rd, 2020

REVISION

DATE

BY

NO.

## DRAFT RESOLUTION

Our File: 2020-0-101

August 24, 2020

Troy MacCulloch  
Chief Administrative Officer  
Municipal District of Pincher Creek No. 9  
Box 279  
Pincher Creek Alberta T0K 1W0

Dear Mr. MacCulloch,


**RE: NW1/4 36-5-30-W4M / M.D. of Pincher Creek No. 9**

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, AB Health Services - South Zone, AB Environment & Parks - J. Wu, AER, ICG Utilities and Pincher Creek Water Co-op.

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Gavin Scott  
Senior Planner

GS/jm  
Attachment



# RESOLUTION

2020-0-101

**M.D. of Pincher Creek No. 9 Country Residential** subdivision of NW1/4 36-5-30-W4M

THAT the Country Residential subdivision of NW1/4 36-5-30-W4M (Certificate of Title No. 891 089 686), to create a 9.40 acre (3.81 ha) parcel from a previously unsubdivided quarter section of 157.45 acres (63.72ha) for country residential use; BE APPROVED subject to the following:

## CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Pincher Creek No. 9.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Pincher Creek No. 9 which shall be registered concurrently with the final plan against the title(s) being created.

## REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed subdivision complies with the M.D. of Pincher Creek subdivision policy R.11.

## INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS Communications Inc. has no objections to the above noted circulation.
- (e) AltaGas Utilities Inc. has no objection to the proposed subdivision described in the file mentioned above.

Please notify Alberta 1st Call at 1-800-242-3447 to arrange for "field locating" should excavations be required within the described area.

We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.

- (f) Canada Post has no comment.

(g) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a country residential/farmstead parcel at the above noted location.

Alberta Transportation’s primary objective is to allow subdivision and development of adjacent properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

The proposal is to create a single parcel of land from an unsubdivided quarter section to accommodate an existing residence and related improvements. As such, this application is in accordance with Section 14(b) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

As this application complies with said Section 14(b) and access to the proposed parcel and the remnant lands is to be by a means other than a highway, Section 15(3) of the regulation applies.

Notwithstanding the foregoing, the applicant would also be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the centre point of the intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

---

CHAIRMAN

---

DATE

## NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

**DATE:** August 11, 2020

**Date of Receipt:** August 10, 2020

**Date of Completeness:** August 10, 2020

**TO: Landowner:** Brent Mc Rae and Patricia Mc Rae

**Agent or Surveyor:** Zachary J. Prosper, A.L.S.

**Referral Agencies:** M.D. of Pincher Creek No. 9, Bev Everts, Holy Spirit RC School Division, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, Altagas Utilities Inc., AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, AER, Canada Post, ICG Utilities, Pincher Creek Water Co-op

**Adjacent Landowners:** Alexandra E Steinke, Charles & Margaret Fitzpatrick, Claudia A & Warner D Steinke, Gary Nicolson, Harold J & Kathleen Lewis, John & Rita Bruns, Kent Bonertz & Wendy McClelland, Lorraine Ruth Unruh, Richard Demont Smith

**Planning Advisor:** Gavin Scott



The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the M.D. of Pincher Creek No. 9. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 31, 2020**. (Please quote our File No. **2020-0-101** in any correspondence with this office).

**File No.:** 2020-0-101

**Legal Description:** NW1/4 36-5-30-W4M

**Municipality:** M.D. of Pincher Creek No. 9

**Land Designation:** Agriculture – A  
(Zoning)

**Existing Use:** Agricultural

**Proposed Use:** Country Residential

**# of Lots Created:** 1

**Certificate of Title:** 891 089 686

**Meeting Date:** September 1, 2020

*Note that meeting dates are subject to change. It is advisable to contact the M.D. of Pincher Creek No. 9 three (3) days prior to the meeting for times and to confirm that this application is on the agenda.*



**Planner's Preliminary Comments:**

The purpose of this application is to create a 9.40 acre (3.81 ha) parcel from a previously unsubdivided quarter section of 157.45 acres (63.72ha) for country residential use.

The proposal is to accommodate the subdivision of an existing farmyard, which presently contains a dwelling, garage, shop, and number of other out-buildings. Access to the lot is presently granted from an existing approach to the north, off of a developed municipal road allowance. The existing residence is serviced by a septic system and water cistern via Pincher Creek Water Co-op.

This proposal complies with the subdivision criteria of the MD of Pincher Creek's Municipal Development Plan and Land Use Bylaw. The Subdivision Authority is hereby requested to consider the following when rendering a decision on this application:

1. Any outstanding property taxes shall be paid to the MD of Pincher Creek.
2. The applicant or owner or both enter into a Development Agreement with the MD.
3. Provision of a surveyors sketch to illustrate lot dimensions and improvements on site.
4. Consideration of adjacent landowners and referral agencies comments.
5. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
6. That any conditions of Alberta Transportation shall be established prior to finalization of the application.

**RESERVE:**

- Municipal Reserve is not applicable pursuant to Section 663(a) of the MGA, as it is the first parcel from the quarter section.

**PROCESSING NOTES:** No further comment pending a site inspection.

**Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.**



**APPLICATION FOR SUBDIVISION  
RURAL MUNICIPALITY**

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: <u>\$1040.00</u>	File No: <u>2020-0-101</u>
APPLICATION SUBMISSION	
Date of Receipt: <u>Aug 10, 2020</u>	Received By: <u>[Signature]</u>
Date Deemed Complete: <u>Aug 10, 2020</u>	Accepted By: <u>[Signature]</u>

**1. CONTACT INFORMATION**

Name of Registered Owner of Land to be Subdivided: Brent & Patricia Mc Rae

Mailing Address: Box 1717 City/Town: Pincher Creek

Postal Code: T0K1W0 Telephone: 403-627-8368 Cell: \_\_\_\_\_

Email: 59bcmcrae@gmail.com Preferred Method of Correspondence: Email  Mail

Name of Agent (Person Authorized to act on behalf of Registered Owner): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/Town: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Method of Correspondence: Email  Mail

Name of Surveyor: Zachary J. Prosper, ALS brown okamura & associates ltd.

Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 132 Cell: \_\_\_\_\_

Email: zach@bokamura.com Preferred Method of Correspondence: Email  Mail

**2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED**

a. All/part of the NW ¼ Section 36 Township 5 Range 30 West of 4 Meridian (e.g. SE¼ 36-1-36-W4M)

b. Being all/part of: Lot/Unit \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

c. Total area of existing parcel of land (to be subdivided) is: 63.67 hectares 157.45 acres

d. Total number of lots to be created: 1 Size of Lot(s): 3.81 hectares (9.40 acres)

e. Rural Address (if applicable): \_\_\_\_\_

f. Certificate of Title No.(s): 891 089 686

**3. LOCATION OF LAND TO BE SUBDIVIDED**

a. The land is located in the municipality of Municipal District of Pincher Crekk No. 9

b. Is the land situated immediately adjacent to the municipal boundary? Yes  No   
If "yes", the adjoining municipality is \_\_\_\_\_

c. Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes  No   
If "yes" the highway is No. 6

d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes  No   
If "yes", state its name \_\_\_\_\_

e. Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown  Yes  No

**4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED**

Describe:

- a. Existing use of the land Acreage
- b. Proposed use of the land Acreage

**5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) rolling
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) grass, crop
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) unknown
- d. Is this a vacant parcel (void of any buildings or structures)? Yes  No   
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved. See Tentative Plan
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes  No
- f. Are there any active oil or gas wells or pipelines on the land? Yes  No
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes  No

**6. WATER SERVICES**

- a. Describe existing source of potable water Water Coop
- b. Describe proposed source of potable water Water Coop

**7. SEWER SERVICES**

- a. Describe existing sewage disposal: Type Septic Tank and Field Year Installed 1990
- b. Describe proposed sewage disposal: Type Septic Tank and Field

**8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF**

I, Brent Mc Rae (boa file: 20-14961 ) hereby certify that

- I am the registered owner
- I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

Signed:  Date: Aug 07 2020

**9. RIGHT OF ENTRY**

I, Brent Mc Rae do  / do not  (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

   
Signature of Registered Owner(s)







-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 891 089 686

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS

-----

GRANTEE - ALBERTA GOVERNMENT TELEPHONES.  
AS TO PORTION OR PLAN:8811716

891 192 850      22/09/1989      UTILITY RIGHT OF WAY  
GRANTEE - ICG UTILITIES (ALBERTA) LTD.

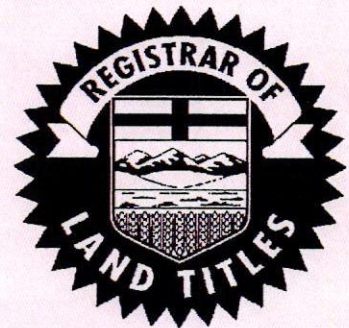
911 088 496      02/05/1991      UTILITY RIGHT OF WAY  
GRANTEE - PINCHER CREEK WATER CO-OPERATIVE LTD.

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 6 DAY OF AUGUST,  
2020 AT 02:17 P.M.

ORDER NUMBER:    39857910

CUSTOMER FILE NUMBER:

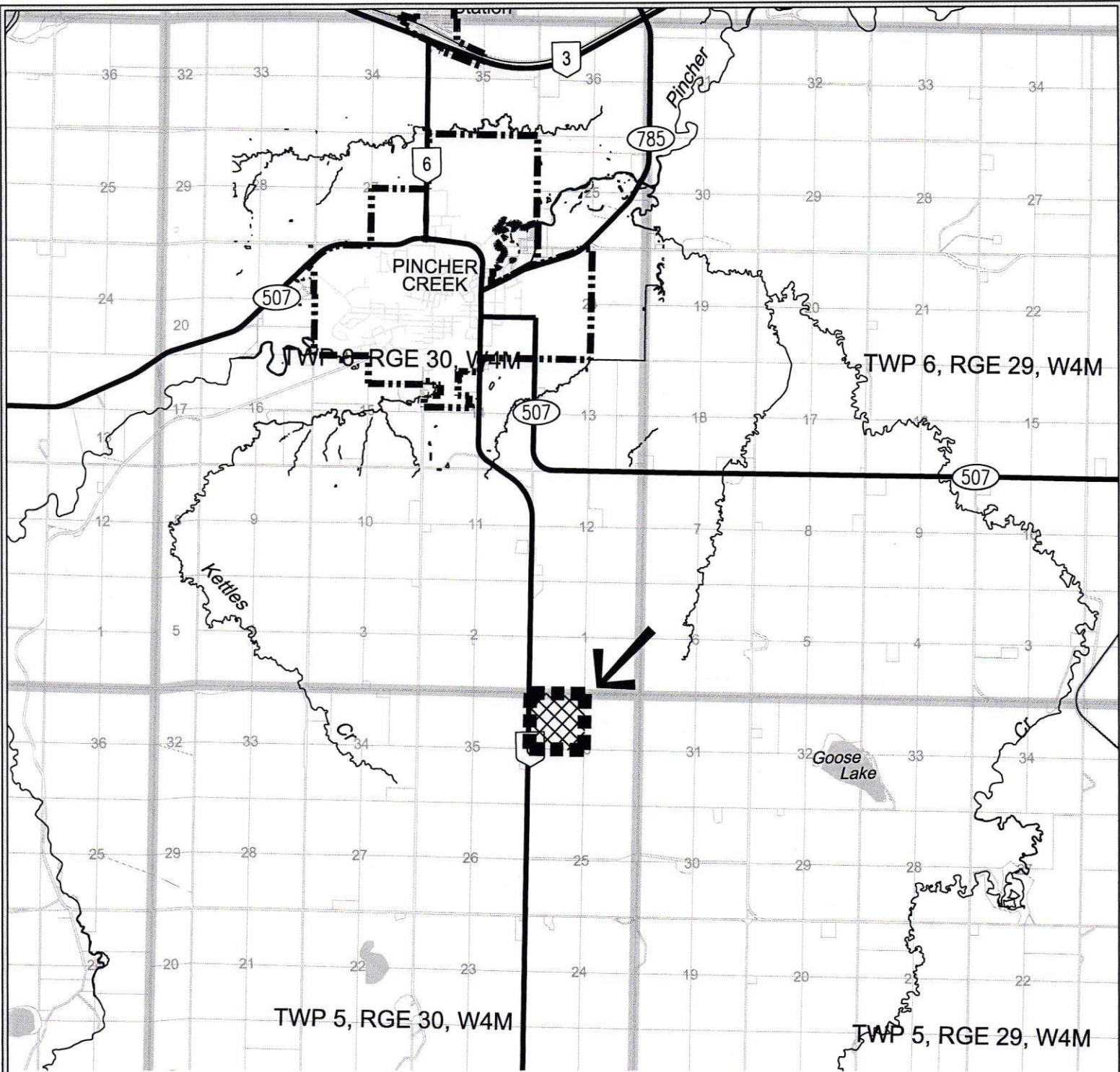


\*END OF CERTIFICATE\*

-----  
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

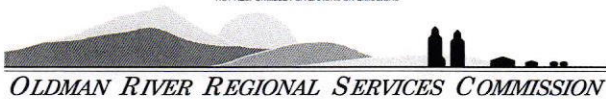
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).





**SUBDIVISION LOCATION SKETCH**  
**NW 1/4 SEC 36, TWP 5, RGE 30, W 4 M**  
**MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9**  
**DATE: AUGUST 10, 2020**  
**FILE No: 2020-0-101**

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
 3105 1891 AVENUE NORTH, LETHBRIDGE, AB T1H 5E8  
 \*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



**OLDMAN RIVER REGIONAL SERVICES COMMISSION**

August 10, 2020 N:\Subdivision\2020\2020-0-101.dwg

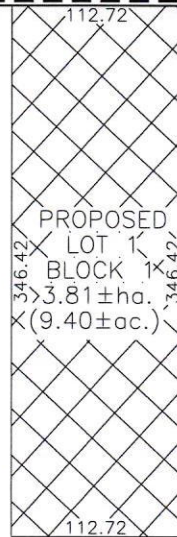


SE2

SW1 6-30-4

SE1

NE35 5-30-4



NE36 5-30-4

REMAINDER OF  
 NW36 5-30-4  
 59.86±ha.  
 (148.05±ac.)

SE35

SW36 5-30-4

SE36

### SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-14961T

NW 1/4 SEC 36, TWP 5, RGE 30, W 4 M

MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9

DATE: AUGUST 10, 2020

FILE No: 2020-0-101



0 100 200 300 400  
 Metres







### SUBDIVISION SKETCH

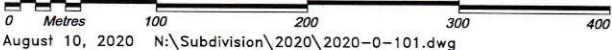
See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-14961T

NW 1/4 SEC 36, TWP 5, RGE 30, W 4 M

MUNICIPALITY: M.D. OF PINCHER CREEK NO. 9

DATE: AUGUST 10, 2020

FILE No: 2020-0-101



August 10, 2020 N:\Subdivision\2020\2020-0-101.dwg



AERIAL PHOTO DATE: 2015



